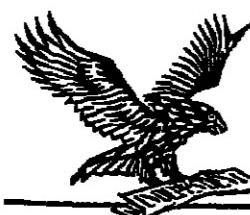


The stars at night  
will appear in mid-February

## THE INDEPENDENT

N° 3.205

TUESDAY 28 JANUARY 1997

WEATHER: Dry; cold where overcast

(IR45p) 40p

## THE TABLOID

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Rude boys  
of Paris

## COMMENT

The cost  
of keeping the  
Royals afloat

## INTERNATIONAL

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a movie deal PAGE 9

## English hitmen for hire, warns police chief

Jason Bennetto  
Crime CorrespondentUp to 20 professional hitmen are operating from the South-East of England and have carried out a number of contract killings, a senior detective has told *The Independent*.

The killers charge from £1,000 to £20,000 per murder and have been used by spurned lovers as well as gangs.

Scotland Yard has a special squad in operation to crack

down on the hitmen, amid concern at the upsurge in the number of men prepared to kill for cash. David Veness, Scotland Yard's Assistant Commissioner in charge of specialist operations, said: "We have a genuine fear that there is a greater capacity for [criminals] to gain access to individuals willing to kill for money. There are worrying signs that there are small groups for whom this is the main form of criminal activity."

He said there was evidence

that the London-based professional killers were being used to carry out hits in other parts of the country. Previous assassinations also suggest that hitmen are being brought in from abroad.

Mr Veness has a pool of 40 detectives from Scotland Yard's Organised Crime Group to help in the inquiry. At least 20 contracts have been carried out, although Mr Veness believes there are almost certainly many "hits" that have yet to

be identified as the work of professional assassins.

Most of the killings are understood to be between rival crime gangs, particularly when in dispute over drugs. However, a number of cases have involved businessmen disposing of rivals or partners and of jilted lovers gaining revenge.

Mr Veness said: "The ones that concern us most are those where it's felt a criminal grouping can with relative impunity resolve its business disputes via

killers. If that attitude develops, a general climate of criminal disorder rapidly follows." He added: "The other category of mistresses and distressed lovers does not create the same insidious effect."

Asked whether the hitmen are being hired for jobs in other parts of the country, he said: "We have examples of movement of activity within the UK."

Mr Veness said there was a "resurgence" in hits during the past five years due to greater

availability of guns and possibly greater competition and rivalry between gangs. He estimated there were 10 to 20 contract killers operating in or from the Metropolitan police area (Greater London), being paid from £1,000 to £20,000 a hit. Detectives believe a significant number of unsolved murders are contract killings but so far no evidence has emerged linking them to hitmen.

In what is believed to be the latest example of a contract

killing, a man was found shot dead in a wood in Highgate, north London, two weeks ago.

Brandon Hale, 48, a known heavy gambler, was beaten and then shot above the left eye.

The Scotland Yard inquiry is hampered by the extreme secrecy surrounding the subject of contract killers, who usually have no connections with their victims.

Recent police successes against hitmen include conviction of a professional killer

known as "The Executioner", who was jailed for life in March for murdering a car dealer.

Kevin Lane, 26, was paid £100,000 by an unknown underworld contact to shoot Robert Magill near his home in Rickmansworth, Hertfordshire, in October 1994.

Two men who were paid £20,000 for the contract killing of the millionaire Donald Urquhart were jailed in February 1995.

Killer for hire, page 3

## Tories to fight for the flag and wallet

Anthony Bevins  
Chief Political Correspondent

Patriotic optimism and a tax auction with Labour are to be the twin planks of the Conservative election strategy, the Cabinet agreed yesterday.

Britain is the best country in the world, ministers agreed: voters should be warned that Labour would throw it away. After the all-day meeting at Chequers, Stephen Dorrell, the Secretary of State for Health, pledged that a new Conservative government would cut the tax burden, which it has not achieved in any of the last four parliaments.

But with John Major making it absolutely clear that he would go to the election limit of 1 May, barring a Commons defeat on a vote of confidence, the safety-first campaign theme was one of continuing to offer opportunity and choice for the "hard-working" classes.

Mr Dorrell said there had been an upbeat discussion in which it had been recognised the Conservative Party had built "the strongest economy in Europe". The Cabinet, he said, had worked through its ideas on health, education, social security and the economy, "to ensure that Britain continues to be the best country in the world in which to live".

He reported that the Prime Minister's phrase was "one that expresses very well the sense around the Cabinet today".

A more negative message was delivered by William Hague, the Secretary of State for Wales, who said on BBC radio that the Conservatives had beaten the British disease of strikes and inflation during the 1980s and would now offer "fresh reforming ideas to meet the big economic challenges of the 1990s".

He added that having created a strong economy, it was "important not to throw that away and that's what's at stake in the coming election".

Mr Hague said: "It's important to continue the change and not go into these blind alleys of minimum wages, higher taxes,



Election timetable, page 6  
Leading article, page 13

increasing your own, and your family's, living standards is one that I think stands up."

Giving a broad sweep of the policies that would be offered under plans to develop ownership, choice and opportunity, Mr Dorrell said there would be a grammar school in every town, expanded choice in the National Health Service and more privatisation.

Having pursued a "reformist" agenda for the first 18 years, he said, Mr Major intended to continue that agenda in the Conservatives' fifth term of office.

Earlier, as the long-drawn election campaign continued, Labour threatened to force the writ for the Wirral South by-election, so that it could be held on 27 February.

The Conservatives immediately replied by saying they would fulfil their promise to move the writ themselves within the next week, so that the by-election would be called either for 27 February or 6 March.

Given the disastrous result which is expected in that pre-election poll, with the Conservatives losing the seat to Labour on all the forecasts, the delay in a general election until May is probably based on the hope that the Wirral South debacle will have been forgotten by May.

Yesterday's meeting at Chequers began with a briefing by the Conservative Party chairman, Brian Mawhinney, on the mechanics of the election campaign. He said the Tories would build on the improved standards they had already achieved, and he added: "This government has been an education standards-focused government. We are going to build on that."

Other subjects discussed during the day included plans for housing, the National Lottery, and pensions.

A Conservative Party source said no government had lost an election when the tide of ideas was flowing in its favour, and after five hours of discussion among Cabinet ministers, it was clear the party had the ideas to meet the economic challenges of the 21st century.

## QUICKLY

## Government defeat

The Government was defeated as the Commons voted by 272 to 272, a majority of one, against an amendment tabled by ministers to the Education Bill.

## Hannatty evidence

Supporters of James Hannatty, hanged 35 years ago for the A6 murder, insisted yesterday that the Home Office had evidence that proved the 25-year-old was innocent since 1994. Page 4

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Mary Braid  
Johannesburg

Twenty years after the death in detention of the black consciousness leader, Steve Biko, five former security policemen have confessed to being involved in his murder.

Biko, arguably the anti-apartheid movement's most famous martyr and the hero of Sir Richard Attenborough's 1987 movie *Cry Freedom*, died in police custody on 12 September 1977, aged 31.

In the 1970s Biko's radical black pride message set the townships alight and changed the course of the liberation movement. After the last of his many arrests it is widely accepted that he was beaten and tortured during interrogations at security police headquarters in Port Elizabeth, before being transported in the back of a landrover, naked and fatally injured, 700 miles to Pretoria, where he finally died. It is claimed he was denied medical assistance and that a police cover-up followed.

The cruelty and brutality of the apartheid regime was encapsulated in the infamous response

of Jimmy Kruger, then justice minister. "His death leaves me cold," he said.

Despite the best efforts of the Biko family's counsel, led by Sidney Kentridge QC and George Bizos, President Nelson Mandela's long-time legal adviser, an inquest in the late 1980s found no one was to blame for his death.

The five former policemen – all former officers at Port Elizabeth – are reported to be finalising an amnesty application in connection with Biko's death to the Truth and Reconciliation Commission (TRC), the body charged with healing South Africa by exposing its violent past and laying the foundations for a better future.

A TRC spokeswoman last night confirmed South African newspaper reports of the joint amnesty application. The breakthrough on the Biko case represents one of the TRC's greatest coups and strengthens its claim to be a better vehicle than the criminal courts for dealing with the past.

The application however will almost certainly anger Biko's family. Yesterday Biko's eldest son, Nkosinathi, 26, said the fam-

ily could not comment before it had discussed the matter.

But last year Biko's widow, Ntsiki, backed by the Azanian People's Organisation (Azpo), which claims to be the true carrier of the Biko torch, challenged the legitimacy of the TRC in the Constitutional Court.

They argued the TRC was an instrument of political expediency and that its amnesty powers robbed victims' families of justice. A successful application for amnesty, granted to those who freely confess to past atrocities, bars any future criminal charges or civil claims against perpetrators.

The family lost their challenge when the 10 constitutional court judges ruled that without the offer of amnesty there would be a disincentive to tell the truth.

Nation divided, page 9

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## news

## significant shorts

**'Aladdin's cave' police raids net eight robbery suspects**

Detectives investigating a multi-million pound string of art burglaries were yesterday questioning eight suspects following a series of dawn raids across central London.

The men were arrested following a four-month inquiry into at least 40 burglaries at galleries and private homes in Kensington, Notting Hill and Hampstead over the past three years.

The investigation, code-named Operation Schwellen, started last September when a raid on the north London premises of a suspected middleman uncovered a £3m "Aladdin's cave" of rare stolen books, paintings, statues and other antiques. That 1,500-item haul included five Dutch masters, thought to have been snatched from a Bond Street gallery, together worth £500,000.

A team of 15 officers from Scotland Yard's Central London Crime Squad tracked the gang responsible for the robberies, which took place when the target properties were unoccupied and which used vans or lorries to carry off *objets d'art* and furniture. More than 50 officers took part in yesterday's raids, and the suspects are being interviewed at Charing Cross police station. **Jojo Moyes**

**E. coli toll rises to 18**

The death toll in the Scottish food-poisoning outbreak has risen to 18 after an 86-year-old woman succumbed to the infection.

Health officials confirmed last night that a woman from the Wishaw area, who was admitted to Monklands Hospital, Airdrie, on 9 December with *E. coli* 0157 infection, died on Friday.

The total number of fatalities is now almost equal to the worst-known outbreak of the infection, when 19 pensioners died in 1985 at an old people's home in Canada.

**Germany fears first v-CJD death**

German doctors are to perform a post-mortem on a 41-year-old woman whom they suspect may have died from the "new variant" form of the brain disorder Creutzfeldt-Jakob disease (CJD), which has been linked to mad-cow disease, or BSE.

If the case is confirmed, then the woman would be the first known victim of v-CJD in Germany. A growing body of evidence has linked the new variant to exposure to BSE-infected products – almost certainly food. The test on the woman follows the announcement last week of the death of a cow, born to an animal imported from Britain, in the fifth case of BSE reported in Germany, which has already ordered the slaughter of more than 5,000 cattle imported from Britain and Switzerland. **Charles Arthur**

**Barbie takes her crown at last**

Barbie, the 37-year-old doll, has been named toy of the year for the first time in her history.

The British Association of Toy Retailers said the Mattel doll, which also won the Doll of the Year and Best Girls' Toy titles, had now achieved cult status. Andrea Bergstein, a senior product manager at Mattel said: "[Barbie] has always been top of the trends. She has always provided girls with what they want."

The boy's toy of the year was Barbie's long-time rival, Hasbro's Action Man – which was toy of the year in 1966. Buzz Lightyear, the Christmas sell-out action doll from the film *Toy Story*, was awarded a new title, the Pimpernel Award, for being highly elusive – like his Scarlet namesake.

**Howard challenges Bulger ruling**

The Home Secretary, Michael Howard, yesterday began a challenge in the House of Lords to a Court of Appeal ruling that his decision to impose a minimum 15-year sentence on the 10-year-old killers of the toddler James Bulger was unlawful. The judgment last July ruled that Mr Howard wrongly took into account public petitions calling for Robert Thompson and Jon Venables to be locked up for life. But yesterday David Pannick QC told five Law Lords that Mr Howard had also read reports about the upbringing of Thompson and appeals about the lesser role in the murder of Venables, before reaching his decision. Thompson and Venables abducted James, 2, from a shopping precinct in Merseyside, and murdered him on an isolated railway line in Walton, Liverpool, on 12 February 1993.

**Hockney's friends help the deaf**

David Hockney, the artist who confesses to being mad about dogs, has donated a famous print of his canine best friends Stanley and Boogie to a charity for deafness.

Hearing Dogs for the Deaf, which trains dogs to alert a deaf person by touch and to guide them to a sound, contacted Hockney last year asking for his support, and he gave the charity permission to print 1,000 copies of the Dachshund sketch. Hockney himself is now almost completely deaf. Recent self-portraits show his face to be uncharacteristically glum, and in each an ear has been omitted.

The prints are being sold for £10; anyone interested in purchasing one should contact Heather Shute on 01993-831909 (evenings).

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BACK ISSUES

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**Why I like the trade unions, by BA chief**  
Having been exposed as a frequent luncheon with Tony Blair, Robert Ayling, the chief executive of British Airways, is now cuddling up to the union movement.

Mr Ayling has put his name to promotional material published by the Amalgamated Engineering and Electrical Union. His *imprimatur* has been granted to an AEEU booklet issued to potential inward investors from the Far East and Europe, in an attempt to allay their fears about British trade unionism.

The BA chief enthuses: "We have worked with the AEEU for many years and over that time have developed positive relationships. The AEEU well understands the benefits flowing from business success and we are looking forward to working together on the difficult challenges now facing British Airways Engineering."

The engineers at BA, like many of the company's employees, are facing an uncertain future. Mr Ayling is considering handing off the engineering interests into a separate company and inviting outside investors to take a share.



Bob Ayling: 'Positive relationships' with unions  
BA management is also courting the British Airline Pilots' Association. In the brave new world of aviation, flight crews are still considered essential to the operations of an airline. Mr Ayling, 50, who has held his post for just over a year, is not quite so close to the Transport and General Workers' Union, which represents baggage handlers, who may be regarded as dispensable.

**Dissident goes back to Moscow**

Natan Sharansky returned to Moscow as an honoured Israeli minister yesterday, 10 years after he was freed from a KGB jail and turned over to the West in one of the most dramatic prisoner swaps of the Cold War.

Sharansky, a Soviet-era dissident who served nine years on charges of spying for Washington, was received with honours by Mayor Yuri Luzhkov in the grandeur of Moscow town hall – a far cry from the squalor of the KGB prison where he spent his last Moscow days.

"As a former Muscovite, forced to leave Moscow, I return as a minister of Israel to a city of free people," he said after signing a trade agreement.

Sharansky said he would visit old friends who had joined him in human rights demonstrations in the 1970s. Today he is scheduled to visit the Lefortovo prison where he was held after his arrest.

He was made a minister in Benjamin Netanyahu's government after the success of his Israel Be-Aliya (Israel of Immigration) party in Israel's elections last May.

Reuters

## briefing

## HEALTH

**Eye test cost puts over-60s at risk of blindness**

More than half a million people aged 60 and over risk losing their sight because they cannot afford eye tests, according to a report from the Royal National Institute for the Blind.

In addition, it revealed there was widespread confusion over who qualified for exemptions to eye test charges, and said this was putting people off making appointments. Two out of five people who were exempt from eye test fees thought they had to pay.

As a result, potentially blinding eye conditions like glaucoma and diabetic retinopathy, which can be treated if spotted early, were going undiagnosed. More than a quarter of all people aged 60 or over have not had an eye test in the last two years, the minimum recommended period for that age group. The RNIB called for free eye tests for everyone aged 60 and over, and other high risk groups. *Losing Sight of Blindness, £5, RNIB Customer Services. Tel: 0345 023153.*

Glenda Cooper

## MEDIA

**Branson's profile inflated**

A new survey confirms what every newspaper reader in the country already suspected: Richard Branson has been generating more headlines and column inches than any other British celebrity.

For the past three months the Virgin tycoon has been the subject of more press attention than Labour leader Tony Blair, the Princess of Wales and even the Spice Girls, according to the latest quarterly report from the newspaper cuttings service Durrants.

In recent weeks, the 46-year-old multi-millionaire has raised his media profile to new heights through his abortive round-the-world balloon flight. Undaunted by the failure of that enterprise, he jetted off to New York with Chris Evans in a bid to sign the DJ for Virgin Radio.

Durrants, which scans nearly 200,000 newspaper and magazine cuttings a year, is forecasting that Sinn Féin leader Gerry Adams, Referendum Party leader and financier Sir James Goldsmith and *Evita* composer Sir Andrew Lloyd Webber will feature prominently in its next quarterly survey. Rob Brown



## LAW

**Reform to curb paedophiles**

A new criminal offence to deter paedophiles from seeking or accepting work with children was proposed in a Government consultation paper yesterday. Ministers seek views on the details of the offence, such as the age of the children who should be protected, the jobs and activities which should be covered, how the offence should be formulated and the effect on employers and voluntary organisations.

The paper proposes that the offence carry a maximum penalty of six months' imprisonment or a £5,000 fine.

*Sex Offenders: A Ban on Working with Children, from Betty Maxon, Sentencing and Offenders Unit, Home Office, Queen Anne's Gate, London SW1H 9AZ. Patricia Wynn Davies*

## ENVIRONMENT

**Warning on global warming**

Britain's claim to be a world leader in tackling global warming may turn into hot air unless ministers devise new energy policies, Government environmental experts warned yesterday. Coal, oil, and gas, which produce the greenhouse gases causing climate change, need to be taxed to reflect their threat to the environment, while non-polluting energy sources such as wind turbines and solar cells need support, said the five-member Panel on Sustainable Development, in its annual report.

The panel called for the Government to end subsidies which encourage environmental damage and to scrap remaining tax incentives for company car use. It also advocates a tax on development on green-field sites.

*British Government Panel on Sustainable Development Third Report, free from the Department of the Environment. Tel: 0181 691 9191, quoting ref 96EP229. Nicholas Schoon*

## PRISONS

**Chronic overcrowding revealed**

Six of Britain's prisons are now holding more than one and a half times the number of prisoners than they were designed to hold, according to official figures, which point to a huge imbalance, with some jails bursting at the seams while others have plenty of space.

Shrewsbury prison is revealed as the most overcrowded jail in England and Wales. With 315 prisoners instead of 176, it has 79 per cent more inmates than its certified normal accommodation level (CNA). The prisons worst affected by the rapidly escalating jail population – now at a record 60,000 – are old Victorian jails in built-up areas, said Richard Tilt, Director General of the Prison Service, in a parliamentary written answer.

Ian Burrell

**NEWSPAPERS SUPPORT RECYCLING**

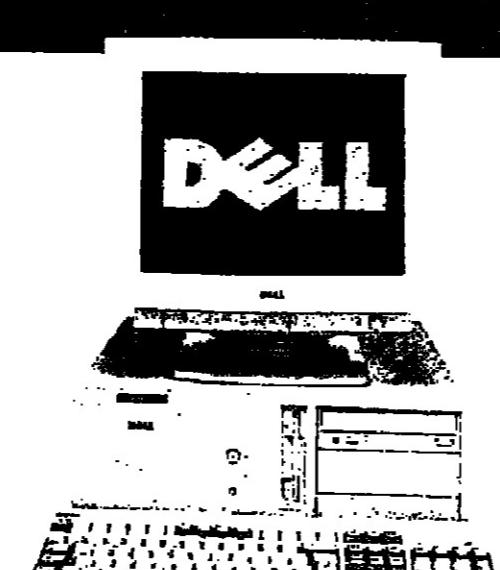
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Ian Beale, played by Adam Woodyatt in the BBC's EastEnders, lies in a pool of blood after being gunned down

## Contract killer for hire: price from £1,000 upwards

**Jason Bennett**  
Crime Correspondent

In the semi-darkness of an early January morning, the body of Brandon Hale was discovered by a woman walking her dog. The 48-year-old gambler was lying face up in woods in north London. Above his left eye was a neat hole made by a single bullet.

Mr Hale's death, which happened two weeks ago, is believed to be the latest murder carried out by a group of professional criminals prepared to kill for cash.

David Veness, Scotland Yard's Assistant Commissioner in charge of specialist operations, has revealed to *The Independent* that the police believe that up to 20 hitmen – possibly more – are operating from the south east of England.

The Metropolitan Police's Organised Crime Group are investigating the contract killers who hire out their services from £1,000 to £20,000 per murder.

Part of the reason for the upsurge is the greater availability of handguns. Increased rivalry between traditional crime gangs, particularly over drug deals, has also led to a rash of killings.

A north London crime family, which has a reputation for

extreme violence, has also been linked to the spate of murders.

But one of the greatest problems the police face in convicting the professional hitmen, and in a small number of cases women, is the secrecy and unpredictability surrounding the criminals involved.

Contract killers are usually hired because they have no direct links with their chosen victim and are therefore unlikely to be traced back to their employer.

An underground network of contacts exists in which contract killers become known to a small group of people. In addition professional killers are feared by other criminals and potential police informers.

The stereotypical image of deals discussed in the back rooms of dingy pubs still holds true for some jobs, but discussions are more likely to take place in greater secrecy and in more salubrious surroundings.

Interviews with hitmen are rare. However in Tony Thompson's book *Gangland Britain*, a man named 'Max', who claims he is a contract killer, said he charged about £10,000 for each job. 'It's quite a lot, but people will do it for a lot less than that nowadays. I mean, you can go down the road and get some coke-head teenager to do it for five hundred quid, but will he

do it properly?' When asked about what weapons he used he replied: 'You get a nice thirty-eight revolver, snub-nosed, it's very small, very compact, very powerful. It'll rip through people. You get some nice nickel and lead-tipped bullets ... they leave nice clean holes.'

An example of a traditional hit was the £20,000 contract killing of Donald Urquhart, who was shot dead in a London street.

Mr Urquhart, 55, a millionaire businessman, had been walking with his girlfriend in January 1993 when Graeme West ran up to him and fired three shots from a pistol into his head before escaping on a motorcycle.

West was jailed for life. It later emerged that he had climbed the ladder of south London's underworld from club bouncer, debt collecting and eventual promotion to contract killer.

Police suspect that at least three businessmen, who have never been brought to court, were involved in the killing.

Contract killers are sometimes brought in from outside cities to work in areas where they are unknown to the police and criminals. In one of the most extraordinary cases, two men hired a Maori hitwoman from New Zealand for £7,000 to murder a London roofing

contractor with whom they had a business feud. Te Rangimaria Ngarimu, 27, was jailed for life in December 1994 for shooting four times in the head and body.

Sex as well as money can be a factor behind hiring a killer. In July last year the wife of a private detective was sentenced to life imprisonment for hiring a hitman to beat her husband to death at their home in Walmley, Sutton Coldfield.

Ethele Trigwell, 43, was said to have taken out a contract on her husband, Barry, 44, with contacts in the Johannesburg underworld.

Mrs Trigwell was having an affair in South Africa and knew her husband was worth more dead to her than alive.

### Caught up in a deadly business



Te Rangimaria Ngarimu, Britain's first known woman contract killer, was jailed for life in December 1994 for shooting dead a hospital patient four times in the head and body for £7,000.

Two men hired the Maori hitwoman to murder a London roofing contractor with whom they had a business feud. Te Rangimaria Ngarimu, 27, killed Graeme Woodcock while he was having treatment in the Royal Free Hospital in north London. The two men who had hired her were given life sentences.

Donald Urquhart was killed by Graeme West for £18,000 in December 1994 as he walked with his girlfriend, Pam Lamphorne (with whom he is pictured above), on a west London street.

West, a former builder, was jailed for life after he shot Mr Urquhart three times in the head before fleeing on a motorbike.

He spent four months planning the hit, but was caught after he told a friend, who informed the police. He is believed to have been hired by a business rival of Mr Urquhart.

Brandon Hale, aged 48, who was known to be a heavy gambler, is believed to be one of the latest victims of contract killers.

He was found shot dead in a wood in Highgate, north London, two weeks ago.

He had been beaten as well as being shot above the eye.

Detectives believe that Mr Hale, who had been a prolific gambler and often visited casinos in the West End of London, may have been killed over a row involving betting debts.

A premature baby died after a junior doctor gave her more than 100 times the required dose of morphine, an inquest was told yesterday.

Rotherham Coroners Court was told that Louise Wood was given a massive overdose after developing breathing difficulties at Rotherham District General Hospital last year.

Lynda Wood, 36, of Thrybergh, Rotherham, South Yorks, gave birth to twins Natalie and Louise in September 1995. The girls were taken as a matter of routine to the neo-natal intensive-care unit, but Louise developed breathing difficulties when she was just 24 hours old.

Medical staff tried to counteract the morphine overdose with Naloxone, but attempts to resuscitate were unsuccessful.

Pathologist Professor Michael Green found the cause of death to be poisoning by morphine.

Toxicologist Dr Robert Forrest, who tested a blood sample, found: "The concentrations of morphine in the blood sample are extremely high and are entirely compatible with a potentially fatal overdose."

Pathologist Prof Michael Green told the hearing: "I regard this as an unnatural death."

No case histories exist on the effects of morphine overdoses on babies and Prof Green said he could not be certain "beyond reasonable doubt" that Louise had not died as a result of her weak lungs.

But he added: "The most likely cause of death in poisoning by morphine. It is a high probability." Criminal courts require beyond reasonable doubt to be established as a cause of death; an inquest needs it only to be probability on the balance of evidence.

Prof Green said the only comparison to be drawn was with heroin abusers who "die on the needle" two to seven minutes after overdosing.

The overdose causes the heart and lungs to fail in adults and this would have happened in the case of Louise. The inquest continues.

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## Heath sails into 'Britannia' row

**Colin Brown**  
Chief Political Correspondent

Sir Edward Heath fired a broadside yesterday at the Government's handling of the decision to build a £60m replacement for the Royal Yacht Britannia, accusing ministers of "dragging the Queen" into the election campaign.

Ministers were kept on the defensive by his outburst as senior backbench Tory MPs privately joined the former prime minister in criticising the Government, although there was no

suggestion of back-tracking over the decision. Sir Edward, a former international yachtsman, accused ministers of acting in a manner which was "not honourable" for failing to reach a consensus with Labour before announcing the decision to provide £60m in taxpayers' money for the yacht.

The attempt to wrong-foot Labour by announcing the decision had produced a "mess" and it should have been left until after the election. "The Conservative Party above all must be an honourable party and I do

not believe the actions which have been taken are honourable ones," he said on BBC radio. "As it is, it has exposed us in the election campaign of being up to trickery in what we are doing about the royal yacht. We are open to the accusation that we are constantly emphasising that not a penny more than the budget must be spent, and accusing the Labour Party and our opponents of being reckless with their money."

Sir Edward said it would be a mistake for the Tories to include a pledge to fund *Britan-*

*nia* in the election manifesto. Lord St John of Fawsley said it was "absolutely right" that *Britannia*'s cost should be met from public funds. But he had great sympathy with the Queen over her reported dismay at being drawn into the political campaigning.

Labour's deputy leader, John Prescott, reaffirmed there would be no public money available for *Britannia* – in the first two years of any Labour government.

David Aaronovitch, page 6

Donald Macintyre, page 15

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evidence



Gainsborough's 'Couple in a Landscape' before the X-ray investigation

## Whitemoor: QC promises more proof

James Cusick

Michael Mansfield QC, the defence barrister who last week alleged involvement of guards at Whitemoor prison in the escape of five IRA prisoners and an armed robber, yesterday said he would be handing "new evidence" on the case to Michael Howard, the Home Secretary.

Pointing to involvement of "forces" who wanted to ensure the IRA ceasefire of 1994 would not work, Mr Mansfield was replying to critics who urged him to deliver any new information. These include Mr Howard and Sir John Woodcock, who conducted an inquiry into the Whitemoor break-out.

After the collapse of the second trial of the prisoners last week, the Conservative MP Ian Bruce increased pressure on Mr Howard to order a new review when he demanded a police investigation into suggestions of a link between the break-out and a missing prison guard.

Mr Bruce demanded that the Home Office look into the disappearance of Peter Curran, an officer at the Cambridgeshire jail. "Mr Curran's disappearance ... could be connected with the break-out. There were things going on he may have been privy to."

Last night police said they were independently reviewing their file on Mr Curran and that there had never been evidence to suggest he had been killed or committed suicide. Two days before he was last seen in March 1995 he was suspended; he had allegedly been supplying toiletries to prisoners. Yesterday his wife, Christine, who contacted Mr Bruce, told the BBC: "I refuse to believe the Prison Service ... have not considered the far-reaching implications."

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# The ghost behind the Gainsborough

X-rays reveal hidden masterpiece

David Lister  
Arts News Editor

An art expert, disturbed by an untidy skirt in a painting by Thomas Gainsborough, embarked on a piece of sleuthing which has resulted in a major discovery.

Susan Foister, a senior curator at the National Gallery in London, used the latest X-ray technology to "strip down" the picture by the 18th-century British artist. The X-ray revealed a completely different painting underneath.

Ms Foister is organising the exhibition "Young Gainsborough" which opens at the National Gallery tomorrow.

She said yesterday that she had become worried about one picture loaned for the exhibition, "Couple in a Landscape",

which she had viewed often at the Dulwich Picture Gallery in south-east London.

"I was suspicious of the Dulwich picture," she said yesterday. "The skirt of the woman didn't look like Gainsborough's dresses. Normally in his paintings you see the folds beautifully portrayed and the light falling on the satiny-looking skirts. In this one the folds aren't neat.

There's a lack of logic in the way the highlights are shown. I thought it would be interesting to check it out, so I had the painting brought in early and X-rayed it. The X-ray that came out was quite extraordinary. For a start, Gainsborough had worked on it the other way up, and when we turned it round, we saw there was a painting of the head and shoulders of a woman in a hat

and dress. "We could see that the lips of this woman were partly shading the dress in the later picture."

Ms Foister says that the earlier picture is "without doubt a Gainsborough", though she does not know who the subject is. She says that it is possible that Gainsborough was commissioned to do the earlier painting and the commission was then cancelled. In the interests of economy, Gainsborough might have used the same canvas for the later work.

"It's an impressive portrait of a strong-jawed woman in a beautiful dress," says Ms Foister. "And it's another painting by Gainsborough from a very interesting period in his career, the early period. It's something art historians will be rather excited about."



The earlier picture revealed underneath of an unknown woman

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Five days on, and there's still only one game in town. For once the focus groups, consulted by the party HQs on all policies, seem to disagree about something. The Tories' groups of key voters are aching for a new royal yacht. Labour's (doubtless watched by Peter Mandelson through a one-way mirror), seem to be saying that such extravagance, at a time of dying patients and illiterate children, is unjustifiable.

Twickenham Tory Toby Jessel told the House that £60m divided amongst a population of 50 million comes to £1 per head and – over five years – to 20 pence. It was “unbelievably small-minded” of Labour to oppose it. I began thinking about all the things that I would rather do with £1, and reached 100 in five minutes. But my mind is unbelievably small.

Labour and the Lib Dems, meanwhile, wept copious crocodile tears over the fact that the Royal Family had become “embroiled in controversy” by a vote-hungry government. One, Paul Flynn – his voice quivering in sympathy for our wronged royals – quoted the dusty Bible of Commons procedure (*Erskine May*) in support. All this from an MP who'd quite like to see our royals embroiled in oil.

One “embrollyer”, the Lib Dems’ Alan Beith, suggested commercial involvement in funding the successor to *Briamia*. Minister Roger Freeman was robust, rejecting any such vulgarity. “Business sponsorship of the royal yacht is not appropriate,” he said primly. But why not? If Richard Branson were to plough a bit of much-needed dosh onto

## DAVID AARONOVITCH

### ‘Queen Yacht’ looms over Westminster horizon

the monarchy, we could once more be ruled by the Virgin Queen.

The £60m thus saved could be better spent, according to the Opposition – practically anywhere. George Foulkes, Labour’s aid spokesman, stymied by the Brownian Blanket (thrown over all

spending commitments) suggested – from a sedentary position, as they say down here – that it might help meet Labour’s pledge of beginning to restore the aid budget. I have a suspicion that Mr Foulkes thought no one was listening. Meanwhile Daydd Wigley

(Plaid Cymru) wanted it spent on a new hospital for Portmadog, in Wales.

John Prescott, goading Hezza over the lack of consultation, called the offending vessel the “Queen Yacht”. This makes sense – if her Mum is the Queen Mum (rather than the Queen’s Mum), we should have the Queen Yacht. As ever, it isn’t Prescott who’s wrong, but the daft convention that he so cleverly satirises.

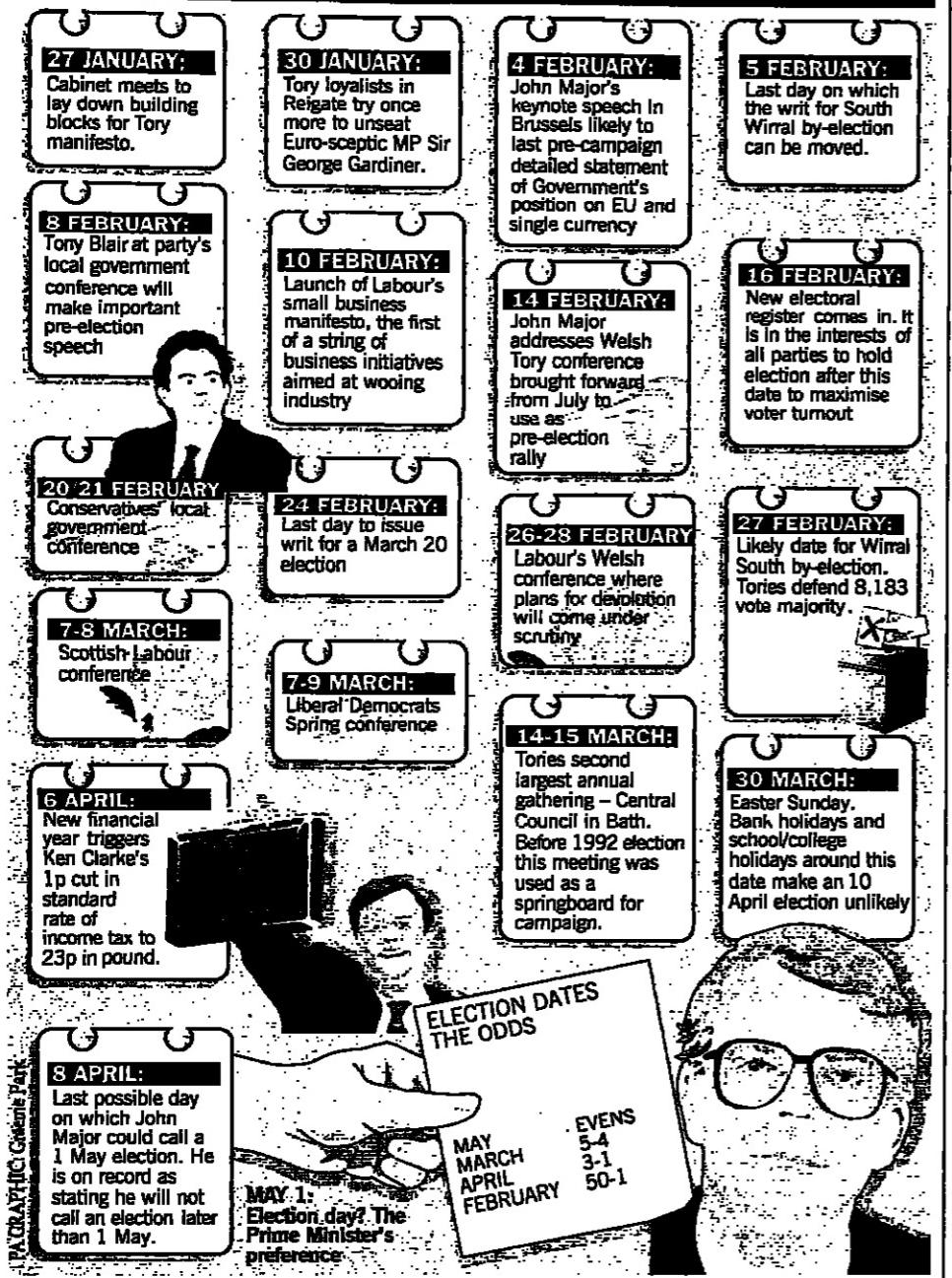
But even he couldn’t deal with the claim that a royal yacht is good for diplomacy – or, as Mr Freeman called it, a “statement about our nation”. If true, may I suggest three MPs to sail on board? Number one is John Marshall, who asked whether the minister would “remind our colleagues in Europe that this country has had much greater

success in job creation than they have?” That should go down very well.

Or how about Tony Marlow (once again wearing the black shirt, that provoked a colleague to ask when he was planning to march on Rome), who asked about “Brusel’s own Josef Goebbels, Geoffrey Marin [head of the commission’s office in London] who seeks to involve himself in the British election”. The man is a credit to us.

Then there’s Cleethorpes Conservative, Michael Brown, who casually asserted that a “large number of vicars are unable to remember more than two or three of the Ten Commandments”. Michael himself can recall most of them, beginning with not coveting your neighbour’s ass. So how about not bearing false witness?

#### Key dates on the road to the polls



Patricia Wynn Davies  
Legal Affairs Editor

Britain's most senior judges launched a fresh attack last night on the Government's controversial plans for mandatory tougher sentences for persistent and violent criminals.

Lord Bingham, the Lord Chief Justice, and Lord Woolf, the Master of the Rolls, led a barrage of criticism during the House of Lords' Second Reading of the Crime (Sentences) Bill.

More than 30 peers spoke during yesterday evening's debate, a majority hostile to the proposals which have already cleared the Commons. The Bill represented an “indiscriminate, scatter-guns” approach which was “radically unsound” and which could lead to injustice, Lord Bingham declared.

The Bill obliges judges to pass minimum jail terms on third-time burglars and drug dealers, indeterminate life sentences on second-time violent or sexual offenders unless there are “exceptional” circumstances, and abolishes current arrangements for parole and post-release supervision.

Opening the debate, the Home Office minister Baroness Blatch said that the proposals would provide “protection and reassurance for the public”.

But in his first contribution in the Lords' chamber since his appointment as Lord Chief Justice,



Lord Bingham: Made his debut in the House as Lord Chief Justice with a comprehensive critique of the ‘overwhelming disadvantages’ of the Government's sentencing plans

of society? Will it be cost-effective? Will it work in practice? I feel bound to tell your Lordships that in my judgement these measures conspicuously fail to pass all four of those tests.”

Dismissing as a “subversive lie” any suggestion that judges were indifferent to the evils of crime and condemning a list of “vices” in the Bill, Lord Bingham said that the existing parole and remission scheme put

in place in 1991, was “clear and intelligible ... it enables offenders to be reintroduced into the community conditionally”.

The Government's plans – based on a slogan, “honesty in sentencing” – involved “overwhelming disadvantages”, including the fact that post-release supervision would be shorter than at present. The proposals for prisoners to earn remission would prove “incapable” of fair operation, Lord Bingham said.

Attacking the proposals for obligatory sentences, the Lord Chief Justice warned that the imposition of the automatic life sentence would give rise to indefensible anomalies, while experience in the United States had shown that where the imposition of an automatic penalty offends the conscience of an ordinary person, prosecutors charged on less serious offences than were warranted.

If, as the century and the millennium slide to a close, our penal thinking is to be judged by the thinking which animates this Bill, then my Lords, I for one will shrink from the verdict of history,” Lord Bingham declared.

Lord McIntosh of Haringey, Labour's home affairs spokesman in the Lords, said that Labour did not oppose the Bill “root and branch”, although it had a number of concerns and would be seeking changes to parts of it.

## Labour HQ to write shortlists

Fran Abrams  
Political Correspondent

The Labour leadership is planning to impose shortlists on up to five constituencies which have not yet chosen their candidates for the general election.

The move is bound to increase speculation – denied by national officials – that Labour will try to place the Tory defector Alan Howarth in one of its few remaining safe seats.

There are also rumours that a sitting MP may announce his or her retirement shortly before the election, allowing the leadership to choose its own candidate.

The decision, to be confirmed by the party's National Executive Committee tomorrow, would remove local constituency parties from the selection process.

The safe seats where the leadership is likely to be involved in the shortlisting include Don Valley, whose MP Martin Redmond died last week. Mem-

bers in the east London seat of Bethnal Green and Bow, where the MP Peter Shore is retiring, were told two weeks ago that their shortlist was to be drawn up by the national executive. Tory strongholds South Ribble in Lancashire and Hazel Grove in Greater Manchester will also be included.

Two constituencies where the local party has been suspended because of allegations of membership rigging will also have their selection processes truncated. In Bradford West, the NEC will interview the local party's nominees while in Birmingham, all the 13 people nominated by wards and other organisations in Sparkbrook and Small Heath will compete in a ballot.

A spokesman for Labour's North West region said it would be in a good position to advise the party about the applicants.

“We have a 24-hour a day, seven day a week dialogue with these constituencies ... We have the inside information,” he said.

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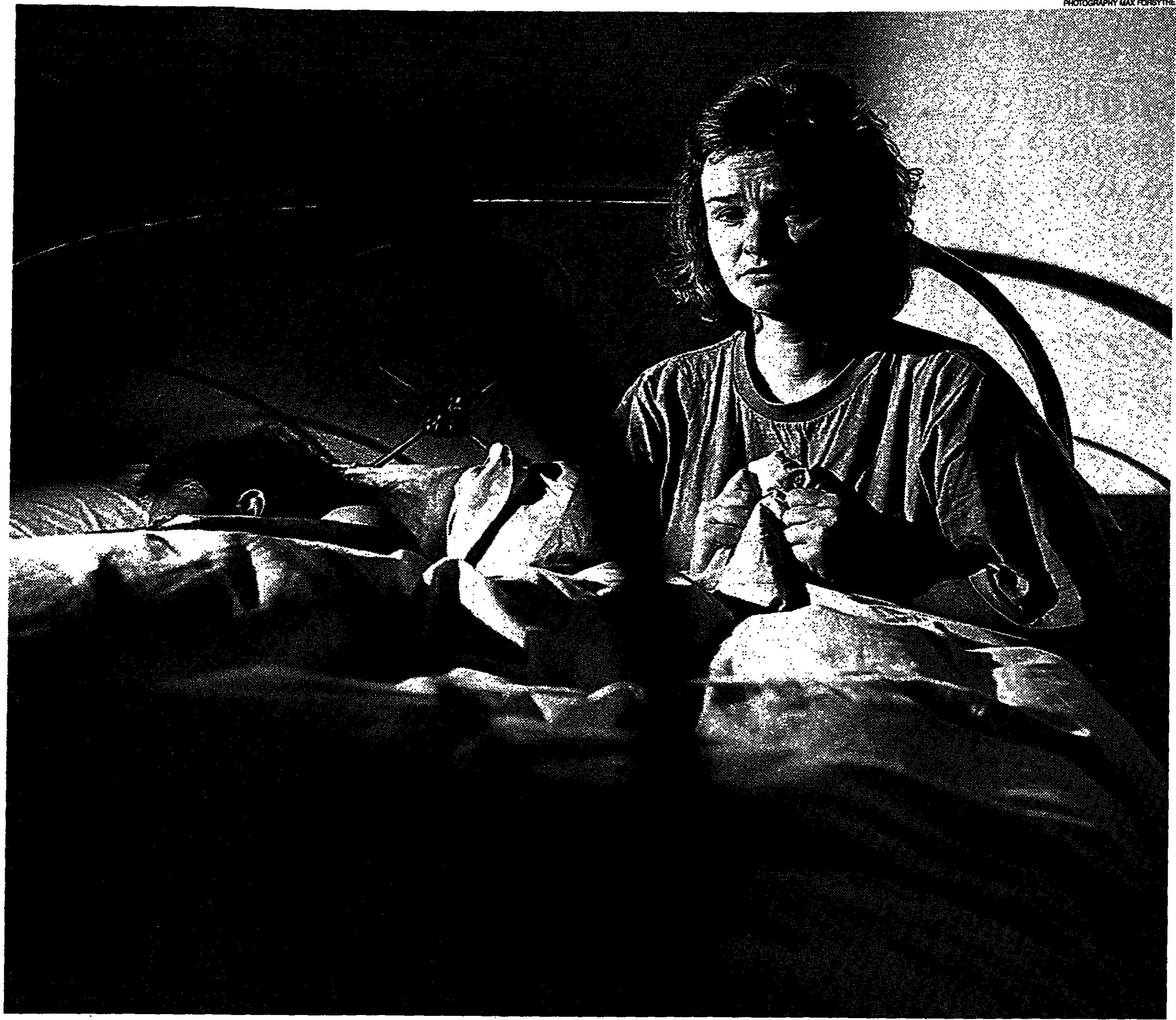
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8 news

# Dorrell moves to abolish mixed-sex wards

Liz Hunt  
Health Editor

Mixed-sex wards are to be consigned to history service history, the Government confirmed yesterday, after a lengthy campaign by patients' groups to banish them from hospitals.

Stephen Dorrell, Secretary of State for Health, who has made clear his opposition to mixed-sex wards since his appointment, launched plans designed to protect the privacy and dignity of

patients two years after his predecessor, Virginia Bottomley, promised prompt action.

Mr Dorrell said: "I do not find it acceptable for men and women to have to be accommodated together in old-style, unadapted wards. I want to see good physical separation of beds for men and women, with separate toilet and washing facilities."

One of Mr Dorrell's priorities is to end mixed-sex wards in mental hospitals, which have

been blamed for exposing vulnerable women patients to the risk of abuse by disturbed men.

Mr Dorrell outlined plans which mean that hospitals must ensure they re-organise their accommodation by the end of 1998, so that all patients on a particular ward are of the same sex. One estimate is that it will cost around £1m for each health authority to comply with the new regulations in the country's 450 hospitals. A 1995 survey of

mixed-sex wards carried out for the NHS Executive in two health regions, North West and West Midlands, found that 44 per cent of hospitals had some wards which did not provide single-sex accommodation.

Big wards may be divided into single-sex bays with separate bathroom facilities, while old-fashioned Nightingale wards could be divided down the middle by partitions under the new plans. Mr Dorrell has made it clear that makeshift partitions or curtains will not be accept-

able. A solid wall will be the only option. Some hospitals may have to invest in new wings.

Alan Langlands, the NHS chief executive, has sent a detailed letter asking all authorities to report through regional offices by the end of February. They must submit timetables showing by what date hospitals in their areas will:

■ meet the Patient's Charter standard for segregated washing and toilet facilities in full;

■ provide safe facilities for mentally ill people which protect their privacy and dignity.

The letter also includes guidance on the ways in which this can be done.

There will have to be exceptions in emergency cases, including intensive care, accident and emergency, and children's wards, but the letter points out that in all cases staff

and management systems ought to be sensitive to patients' rights to privacy and dignity.

Mr Langlands' letter points out that the Patient's Charter promises separate toilet and washing facilities as the standards and, apart from emergencies, people ought to receive information about the type of accommodation to which they will be admitted and have a right to choose single-sex accommodation.

If someone needs to wait until suitable accommodation is available, admission should take place as soon as possible, and no later than promised in the waiting-time guarantees, the letter concludes.

A spokesman for the Royal College of Nursing said: "This is excellent news for nurses who have campaigned so long for the right of patients to single-sex accommodation. Health service managers will now need to estimate the true cost of meeting this target."

## Miracle skin cream suffers loss of face

Liz Hunt

An expensive skin cream, hailed as a breakthrough in anti-ageing treatments and apparently backed by medical research, may be no more effective than cheap moisturisers, it was claimed yesterday.

The cream, Servital, which costs £75 for 50ml, was launched earlier this month with much publicity and it was claimed, the apparent endorsement of Guy's Hospital in south-east London.

But the doctor at Guy's who carried out research on the cream has now distanced himself from the claims and accused the manufacturers, Syence, of misleading use of his data as a marketing tool.

Dr Stephen Young, a research scientist from the tissue viability unit at Guy's Hospital Medical School, said: "I feel embarrassed about the whole thing and this sort of publicity is not what the hospital and in particular the medical school would welcome. We would not endorse this or any other product."

The apparent support of Guy's for Syence's claims led to reports of "miracle breakthroughs" in some newspapers which would normally be wary of them. *The Independent* did not run the story after checking it out with dermatologists not involved in the research or the launch.

Dr Young told the BBC television consumer programme

*Watchdog: Face Value*, that he had been conducting a trial on an new ultrasound machine which was able to measure minute changes in skin thickness. Sixty women took part in the trial, 40 used Servital and 20 just massaged their faces. The women using Servital showed an increase in skin thickness.

However, the trial did not compare the cream with any others. *Face Value* asked Dr Young to test three which cost less than £5: Glycerine and Rose Water, Oil of Ulay, and a Boots No7 Moisturiser. All thickened the skin measurably.

Guy's said yesterday that its involvement with Syence came when the hospital was seeking funding for its research programme, and that they had hoped to draw attention to the machine by carrying out the tests for a cosmetic company. Dr Young said: "We were just a research team and we were totally focused on getting funds to carry on the research and to be able to get this prototype technology to the patient."

Sean Campbell, managing director of Syence, told the BBC: "We wanted to have our product tested at an institution that was of repute to be able to do the right sort of tests. The machine that they have at Guy's is the only machine that is able to test without a biopsy, which is the cutting away of the skin ... I don't feel we've tried to damage Guy's."



Beauty business: Cheap moisturisers from high-street chemists could prove to be as effective as Servital, which costs £75 for a 50ml bottle and was launched amid claims of a breakthrough in anti-ageing treatment

## Atomic laser points the way to future

Charles Arthur  
Science Editor

It could become the most precise manufacturing tool that humans ever build. Physicists in the United States have demonstrated the world's first "atomic laser", in which atoms take the place of light, producing a stream of matter that can be precisely controlled.

The result could be atomic-sized machines and measuring instruments, built to tolerances never before possible. Electronic circuitry could be manufactured in which each "wire" consisted of a line of atoms - allowing super-miniaturisation a thousand times more compact than is now possible. It will also increase our understanding of the "quantum world" of individual atoms.

An experiment last November at the Massachusetts Institute of Technology (MIT), in Boston, produced a pulse of atoms at temperatures close to absolute zero (-273C) which behaved as though they were a single "superatom". Physicists call this a "Bose-Einstein condensate" - a state of matter which was only discovered in July 1995.

By cooling the atoms until their random heat energy was removed, the scientists produced particles which were locked into the same energy state, like a resonating solid.

"It's very like a laser source," said Professor Keith Burnett, of the physics department at Oxford University, who has been working with the team at MIT on the theory of the system. "You can then control the atoms very precisely: they all come out in step, moving in exactly the same way. You could aim the beam where you want it; it would be the ultimate printer."

Professor Burnett predicts that future versions of the system will be used for manufacturing in the 21st century, and for studying the boundary between the quantum world - in which matter and light can behave like waves and particles - and the macroscopic world, which we experience.

The latest work is reported in yesterday's edition of the journal *Physical Review Letters*, and also in this week's *Science*. "It's fantastic. It's really one of the most exciting things in atomic physics that I've seen in the last 10 years," said John Doyle, a professor at Harvard University.

Professor Burnett said: "My feeling is that this will evolve to be something of considerable interest. At the moment we can only see the obvious applications, like the 'printer' idea. But it will also amplify our understanding of what we can do. We will become quantum engineers."

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## international

# Clergy join crusade against Milosevic

**Tony Barber**  
Europe Editor

More than 100,000 Serbs marched through Belgrade yesterday in a religious procession designed partly to sustain the 10-week protest movement against President Slobodan Milosevic. But a court decision appeared to reverse an earlier opposition victory.

Two dozen Orthodox priests led the procession, one of the largest church-sponsored events in Belgrade for 50 years. Patriarch Pavle, head of the Serbian Orthodox church, praised demonstrators who have staged peaceful protests in Belgrade and other towns every day since the Socialist (ex-Communist) authorities annulled opposition victories in local elections in November. "Today, eyes are watching us from the sky and ground and are telling us to endure on the holy and righteous road," he said.

In Belgrade, the city electoral commission which awarded victory to the Zajedno opposition al-

liance last week said yesterday its ruling had been quashed by the First Municipal Court.

Commission chairman Radomir Lazarevic was enraged by the ruling. "The decision is completely against the law," he told reporters. "Truth and justice are endangered. There is a legal right of the people to start a rebellion."

Opposition rallies have spread to about 50 Serbian towns, but in Belgrade in recent days the number of protesters has fallen from a peak of 100,000 to a hard core of 15,000 to 20,000. Yesterday's march was the largest daytime gathering in the city for more than a month, but it was at least as religious as political in nature, since it officially marked the holiday of St Sava, the 13th-century founder of the Serbian Orthodox church.

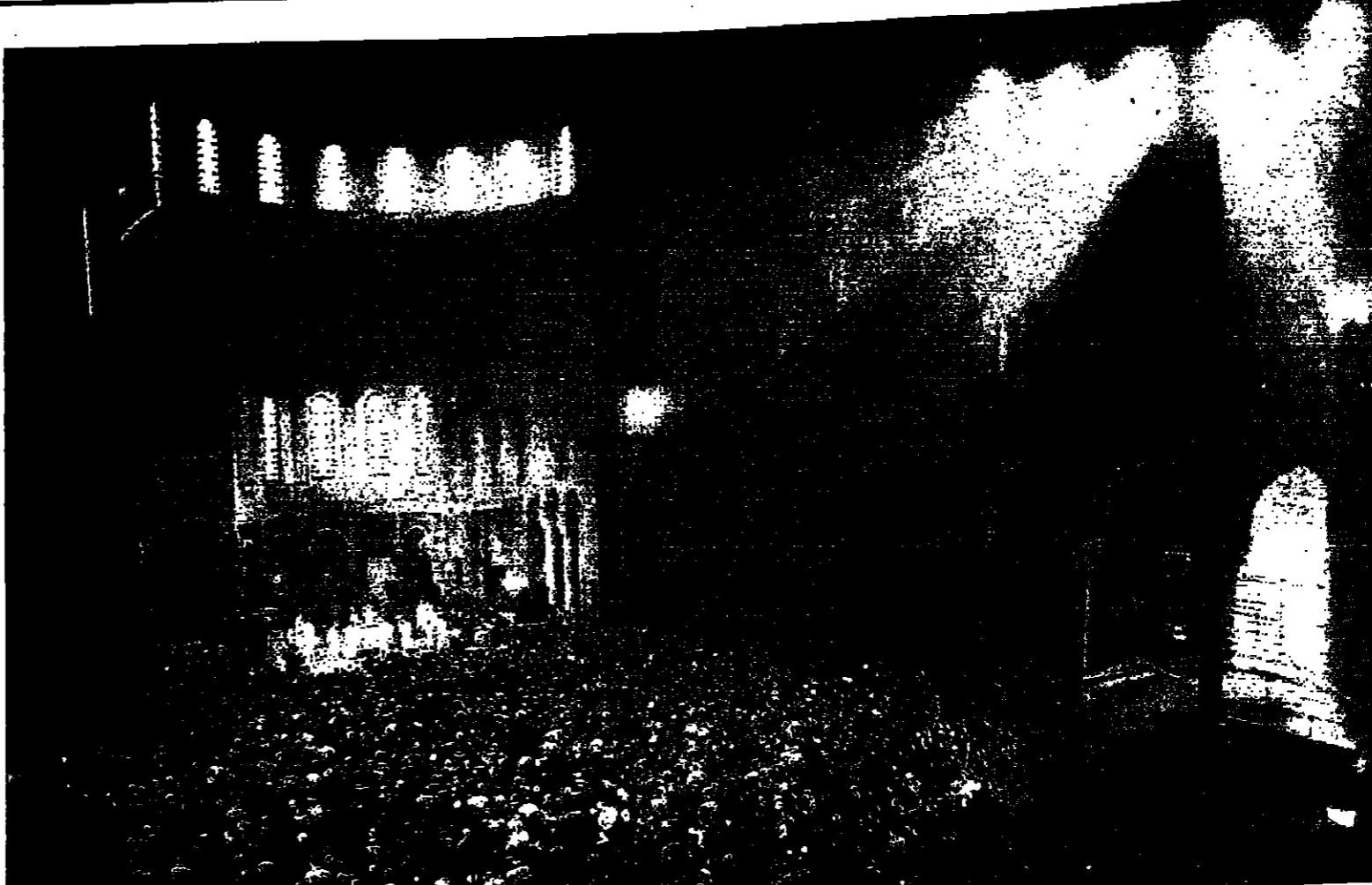
Patriarch Pavle has thrown the church's considerable authority as a symbol of the Serbian nation squarely behind the opposition. However, his motives are more complex than the desire for justice and democracy that has fuelled the protest movement.

During the early period of the 1991-95 wars in former Yugoslavia, he was as much of a Serbian nationalist as Mr Milosevic. The rift that later opened between them owed much to his view that Mr Milosevic had betrayed ethnic Serbs in Bosnia and Croatia by standing aside as they lost their lands in a conflict inspired largely by the Serbian president.

Zajedno legislators yesterday took formal control of Nis, Serbia's second-largest city, where the Socialists conceded this month that they had lost the November elections.

Sixteen Socialist deputies boycotted the ceremony in Nis. Zoran Zivkovic, the likely new mayor, said that five decades of Communist and Socialist rule had left the city "totally ruined".

By mixing restraint with mild repression and by making concessions that seem genuine but eventually turn out to be trivial, Slobodan Milosevic appears to be calculating that he can wear out the opposition in a contest that could last months.



Lighting the way: Worshippers in St Sava Cathedral yesterday, when 100,000 protesters marched through Belgrade

Photograph: Reuter

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## Chechens euphoric in vote for freedom

**Phil Reeves**  
Grozny

Hundreds of thousands of Chechens swamped polling booths yesterday for a historic election to choose their own leader and send a defiant message to Russia that they now belong to an independent nation.

A wave of euphoria swept across the small Caucasus republic throughout a festive and frantic day that Chechens seem certain to remember as the moment they sealed their *de facto* victory in the 21-month war with Russia.

Such was the multitude which descended on voting stations, many struggling in from far-flung, bombed-out villages in rickety cars and buses, that the electoral authorities last night kept the polls open for an extra two hours until 10pm.

Although last year's peace accord with Moscow deferred the settlement of Chechnya's status for five years, yesterday's elections for president and parliament were seen by Chechens as evidence that the 1-million-strong Islamic mountain republic has acquired nationhood.

Tissa Karsamayali, a middle-aged woman wrapped in a fox fur against the -5°C temperatures, resented being made to vote in Soviet times when the elections were rigged and the candidates were stooges. But yesterday was different: "Today is like a holiday. It was pure joy, because I was voting for independence and for my own country. It was a very important day for us."

She had voted for Aslan Maskhadov, the former separatist chief-of-staff who is the favourite and Moscow's choice, as he is viewed as the most moderate of the five leading candidates. But like most who have endured almost two years of Russian bombs and bullets, she said she would be happy with the outcome no matter who won, even if it was Shamil Basayev, the popular Chechen field commander, whom Russia has branded a terrorist.

Ms Karsamayali, a judge, was standing in brilliant sunshine outside voting station number 41, a gutted general store in Grozny, the capital. The store was being used for refugees from three outlying villages wrecked by Russian bombs during the war. Achokoi, Yandi and Bamut. Within, the activity was feverish and the enthusiasm palpable.

Grandmothers, dapper young women and middle-aged men in sheepskin hats queued before the curtained booths, coloured bright green, like the Chechen flag, before posting their ballots into boxes and having their right hands sprayed with indelible ink.

Adam Ismaelov, 30, a former Chechen separatist fighter, was at the front. He still carried his sub-machine gun slung over his black leather jacket. He said he would probably choose the interim president, Zelimkhan Yandarbiyev, the right-hand man of Dzhokar Dudayev, the former Soviet air force general who led Chechnya's drive for

independence until his assassination nine months ago. (Grozny has since been renamed Dzhokar-Ghala - "the city of Dzhokar", in his honour). But he added: "it makes no difference to me. All the candidates are like brothers."

The election official in charge of the station, Vakhar Gaysumov, himself a refugee, could barely contain his excitement. He proudly showed off his two armed guards who would escort the ballot boxes to the regional counting centre: the three assistants - women, wrapped in huge coats against the freezing cold, filling out lists at a table: the register of 496 names, compiled by word of mouth. Voters left off the list lined up to register, clutching dog-eared old Soviet passports.

Like almost every Chechen, he was desperate to show visiting journalists and thus the outside world that the election was organised and wholly fair. A verdict on that will be delivered by the 72 international observers who came to Chechnya under the auspices of the Organisation for Security and Co-operation in Europe (OSCE).



Basayev casting his ballot. Russia calls him a terrorist.

• Today was pure joy, as I was voting for my country's independence •

But there were no complaints from the voters as they rushed to polling booths, erected amidst the ruins of their homes. Even interviews with a handful of Grozny's ethnic Russians, among the minority of Russian who stayed on in Chechnya after the war, produced no complaints.

Yesterday, to the annoyance of many in Moscow, Chechnya celebrated its day of liberation. How long the euphoria will last in a republic that needs Moscow's help to rebuild its shattered infrastructure is another question.

Yesterday the Chechens got the ruins around them, the lack of jobs and their wrecked economy. However, that sense of triumph will be impossible to sustain.

# Robbery that followed the Holocaust

2,000 art works in French museums

John Lichfield  
Paris

French national museums hold nearly 2,000 works of art stolen from Jews by the Nazis during the Second World War, it was revealed yesterday.

On the eve of "Holocaust Day" ceremonies to commemorate the anniversary of the liberation of the Auschwitz concentration camp, the French government announced that it was setting up an inquiry into the origins of hundreds of artworks now in museums and believed to have been stolen from French Jews by the collaborationist Vichy regime.

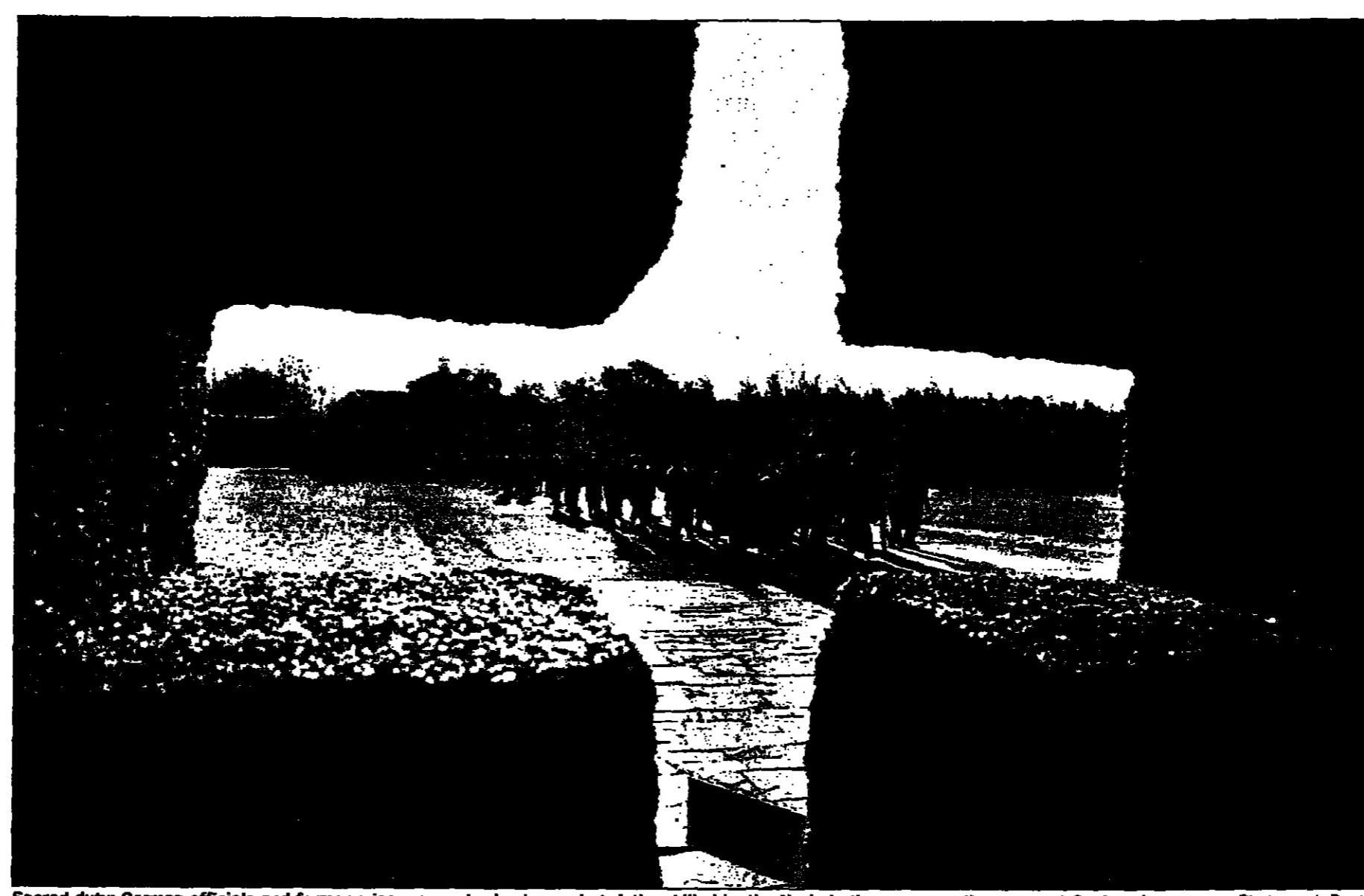
The works, now exhibited or stored in the Louvre, the Musée d'Orsay, and other museums, include paintings by Monet, Renoir, Gauguin and sculptures by Rodin.

The Prime Minister, Alain Juppé, announced at the weekend that he is setting up a committee of inquiry into the origins, and the legal status, of billions of francs worth of property pillaged from French Jews during the war. Much of this property, including real estate and businesses, as well as works of art, was never returned.

It was already known, or suspected, that some of the art ended up in museums owned by the French state or large cities. But the sheer size and quality of the collection, once owned by wealthy French-Jewish families, was exposed by an internal government inquiry, completed two years ago.

The results of the investigation, by the Cour des Comptes - the French audit office - were made public for the first time by the newspaper *Le Monde* yesterday.

The investigators are sharply critical of both the French state and individual museum curators, for making feeble attempts to identify the true owners, or their heirs, and for failing to state clearly the origins of the works. Only the Musée d'Orsay was prepared to admit that it possessed masterpieces such as Gauguin and Monets which belonged to Jewish families, deported or stripped of their property, by the pro-Nazi Vichy



Sacred duty: German officials and former prisoners yesterday honouring victims killed by the Nazis in the concentration camp at Sachsenhausen Photograph: Reuter

government. Others failed to respond to the auditors' questions or claimed the works they possessed were of minor value.

Evidence has also emerged in recent months that several French critics, including Paris, still own large numbers of apartments and other real estate stolen by the Vichy regime as part of a systematic effort to obliterate Jewish influence and culture in France.

The new committee of investigation set up by Mr Juppé follows years of pressure by the French Jewish community. Speaking to the main umbrella body for Jewish organisations at the weekend, the Prime Minister said that such an investigation was "not just a moral gesture but a

national duty". For half a century after the end of the war, the part of the Vichy authorities in the identification and deportation of French Jews was officially forbidden subject. To his

minister under President Giscard d'Estaing in the 1970s, accused of organising the arrest of Jews while he was the Vichy police chief in Bordeaux. His trial is due to begin in May.

turn. After the war, 61,000 works of art pillaged from Jews and other Nazi victims were gathered at Compiegne and 45,000 were successfully reclaimed. Most of the rest were sold off but 1,955 of the better works of art were given to museums.

The Cour des Comptes accuses the French authorities of that time of failing adequately to publicise the existence of this treasure trove and failing to draw up a proper inventory.

■ Zurich (Reuters) — Switzerland's ambassador to the United States resigned yesterday after a document he wrote calling for "waging war" against Jewish groups and other vocal critics was leaked to the press, triggering uproar.

The *SonntagsZeitung* weekly said the document came from a confidential strategy paper which ambassador Carlo Jagmetti sent to Bern last month dealing with the row over dormant accounts in Swiss banks of World War Two Holocaust victims.

"This is a war that Switzerland must wage and win on the foreign and domestic front," said the document. "You cannot trust most of the adversaries," it added.

*SonntagsZeitung* said the "adversaries" to whom Jagmetti referred were Jewish groups and US senator Alfonse D'Amato, who have accused the Swiss of profiting cynically from the war and are seeking compensation for Holocaust victims.

Imre Karacs  
Bonn

Germany remembered the victims of Nazism yesterday with a mixture of humility and, in the words of one opposition MP, "hollow pathos".

Marking "Holocaust Day" on the anniversary of the liberation of Auschwitz, the two houses of parliament held a joint session, the German flag flew on government buildings and schools had a special history lesson.

It was a solemn occasion, disturbed only by the clamour of East European Jews who have yet to be compensated, groups representing the anti-Nazi resistance and the enduring row over a gigantic tombstone that is supposed to be erected in memory of almost 6 million Jews.

"The Day of Commemoration is in danger of turning into a farce," declared Green MP Volker Beck. "Many victims are asking: 'which victims are being commemorated today?'

He replied: "Not the tens of thousands who deserted from the Wehrmacht". For five decades Mr Beck has tried in vain to decriminalise soldiers who had refused to follow orders. Deserters remain traitors under the laws, and are thus deprived of a war pension.

And Germany has paid only partial compensation to many East European Jews, and none at all to survivors in the Baltic republics.

That is not to say that the German state has suddenly become tight-fisted. A Holocaust memorial is to be erected in the centre of Berlin, engraving the names of known Jewish victims on a slab of granite the size of a football pitch. But many Jews feel that the government should pay more attention both to the victims, and to the preservation of the camps where they suffered, than to erecting artificial shrines.

## Capture and freedom with a hidden Lebanese agenda

Robert Fisk looks for the motives behind some strange events



Saddam Hussein: Growing support for movement to overthrow him

Beirut — Why was Darrar el-Karmeh, financial director of the new Beirut Marriott hotel, kidnapped by three armed men on 3 January? Why was he released unharmed at the weekend? And why — a question of rather more pressing importance to Arab embassies in the region — have three Iraqi diplomats held in Beirut for the murder of an Iraqi opposition leader in 1994, suddenly also been given their freedom? The Lebanese press, with that discretion that always suggests a sister country may have been involved, has been hinting broadly that Syria is sending some blunt messages to its international rivals.

But first to Mr Karmeh, a Palestinian with a Jordanian passport whose wife and three children live with him in Beirut. Not long after his abduction, the Lebanese authorities — embarrassed at being unable to hunt down his kidnappers or to explain the background to his disappearance — told Lebanese journalists, off the record, that three Syrian intelligence agents had "lifted" the man from the Marriott on suspicion of involvement in the killing of a Syrian civilian in a bus north of Beirut last December and the later bombing of a bus in Damascus which left 13 civilians dead. There were rumours that — under the terms of the 1991 Friendship and Cooperation treaty — Mr Karmeh had been taken to Syrian intelligence headquarters at Amman or even to Damascus. The Jordanian

embassy complained to the Lebanese foreign ministry, demanding news of the missing man.

But while the ministry was trying to explain the mystery, it was also instructing the security authorities in the city to release the three Iraqi diplomats. All three — Mohamed Kamel, Ali Darwishi and Hadi Najm — were stripped of their diplomatic immunity in 1994 and accused of the assassination of Sheikh Taleb Soheil, a prominent member of the anti-Saddam Hussein "Council of Free Iraq".

Then last weekend, all three Iraqis were freed from custody and allowed to return to Iraq through Damascus — even though Syria remains Iraq's harshest opponent in

the Arab world. Yet again, the Jordanians, who have given their encouragement to the murdered sheikh's Council of Free Iraq — bitterly complained to the Lebanese, this time not via the foreign ministry in Amman but directly from the Hashemite royal court.

So what on earth has been going on in Lebanon these last few weeks? Did Lebanon suddenly decide to rid itself of three troublesome diplomats because, out of the blue, it decided to restore relations with Iraq? Did Mr Karmeh suffer amnesia on his way to work three weeks ago, only to recover his memory at the weekend, unable — and he has refused to talk to journalists — to recall anything that happened to him since 3 January?

Or could it be that Syria, which has said nothing about either affair, is allowing silence to speak louder than words? The Jordanians have been accusing Syria of "terrorism" of late, and at least one United States think-tank has suggested that Jordan might be used as a springboard to destabilise Syria if it will not come to heel and sign a peace with Israel without the return of the Israeli-occupied Golan heights.

Jordan makes no secret of its support for Iraqis who wish to overthrow President Saddam Hussein, even for the installation of a Jordanian royal on a restored Iraqi throne. With Israel and its new allies — Jordan and Turkey — standing along three of Syria's frontiers, Damascus may be in the mood to remind the world that the relationship with the rival Baathist regime in Baghdad could yet be restored. How better to do this than by inviting three of Saddam's henchmen to go home via Damascus — and by reminding Jordan that it may be held responsible for attacks on Syrian citizens in both Beirut and Damascus?

## Heat taken out of language curry

Jan McGirk  
New Delhi

A British Council lecturer is trying single-handedly to overhaul the ornate and bureaucratic language which has bedevilled the subcontinent since the days of the East India Company.

In his language workshops held in Indian business centres, Martin Cutts gives "anti-obfuscation advice." He insists that Indians must shed the colonial phrases left over from the British Raj, forget the Empress's English and re-learn plain speaking.

Mr Cutts, 42, is back by popular demand on his fourth tour of India. "The British civil service left a legacy to India. Unfortunately, impenetrable language is part of it," he said.

Over the next three weeks his seminars in New Delhi, Allahabad and Madras will attempt to redress the language problem. One personal goal is to banish the standard 191-word sentence which appears at the start of every Indian life insurance form.

His Plain Language Commission, first launched in Britain in 1989, helped cut the gobbledegook from inland

enue forms and from turgid insurance documents. His challenge is to decipher the distinctive masala mix used by India's 90 million English speakers — a rather stilted Edwardian English spiced with the grammatical structure of 15 principal Indian languages and some 3,000 dialects — without sacrificing its special flavour.

While the hoardings and headlines in India's big cities carry a sparkly blend of Hindi and MTV slang, businessmen still tend to use archaic language which hinders communication with the uninitiated. An executive might instruct his travel

agent to "kindly do the needful and prepare the departure to facilitate my journey out of station and avoid a nightfall", when he merely wants the time of his trip moved forward.

Long, servile phrases also annoy Mr Cutts. He objects to letter writers who insist on "begging the favour of your esteemed perusal," when they could just type "see below".

Not everyone was convinced.

One bureaucrat protested:

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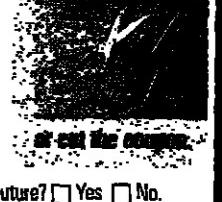
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## obituaries / gazette

# Professor Roger Tayler

Roger Tayler was a distinguished and versatile astrophysicist, contributing to our understanding of the structure and evolution of stars, galaxies and the universe as a whole. As an officer of the Royal Astronomical Society and editor of its journal, he gave outstanding service to the astronomical community nationally and internationally. Many of his students now hold senior positions around the world.

Tayler was born and bred in Birmingham, went up to Clare College, Cambridge, as a scholar, graduating in 1950 and winning a share in the Mayhew Prize, for performance in Part III of the Mathematics Tripos. He worked for his PhD in theoretical astrophysics with (Sir) Hermann Bondi as his supervisor. By then, after the work of Sir Arthur Eddington and others, the structure of chemically homogeneous stars was thought to be reasonably well understood, and descriptive of "main sequence" stars of different mass, such as the Sun and the bright white stars like Vega.

Attention began to be focused on stellar evolution, in the hope of explaining the origin of "red giants" such as the enormously extended star Betelgeuse. Such a programme of work requires the use of the powerful electronic computers which we now take for granted. Tayler said he was about the last person to tackle the equations of stellar structure with the aid just of a mechanical desk calculator.

After a postdoctoral year at the California Institute of Technology and Princeton, Tayler returned to England to work as Scientific Officer in the Atomic Energy Research Establishment at Harwell in 1955. There he wrote – parallel but independently of Marshall Rosenbluth in the United States and V. Sheftaev in the Soviet Union – fundamental mathematical papers on the problem of the "stabilised pinch", in which a perfectly conducting cylindrical current has its gross instabilities removed by an axial magnetic field within conducting walls.

The hope was that the hot plasma in the current would be magnetically confined long enough for energy generation by the same hydrogen-to-helium fusion process to occur on Earth as in the Sun and stars. In the slow progress over the decades towards this long-term aim, Tayler's work on this and on cognate problems remains highly relevant: one hears reports of its being rediscovered by young workers unfamiliar with the literature.

In 1961, Tayler returned to Cambridge to work with (Sir) Fred Hoyle on nuclear astrophysics. Following Hoyle's pioneer-

neering paper of 1946, there appeared in 1957 the masterly paper by "BFF" (i.e. Hoyle and Geoffrey and Margaret Burbidge) on the build-up of carbon, oxygen and the heavier elements on the hot dense cores of highly evolved stars, to be distributed subsequently into the interstellar medium, e.g. during explosion of a supernova. Tayler's contribution to this problem was a careful calculation of the relative abundances of the elements near the "iron peak".

The importance of heavy element build-up as part of normal stellar evolution is manifest from studies on "primordial" nucleosynthesis, which show that only helium and other light elements can form from hydrogen during the hot dense early phases of the standard "Big Bang" cosmology.

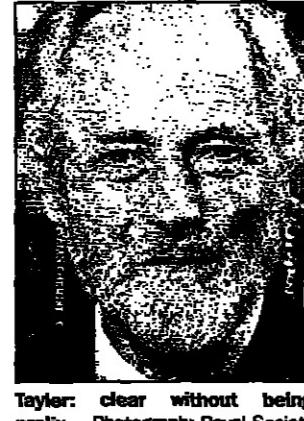
Belief in the Big Bang was revived by the discovery of microwave background radiation announced in 1965. Shortly before this, Hoyle and Tayler had published a landmark paper, pointing out the importance for cosmology of observations of the helium abundance in different objects. Both earlier calculations and their own in fact yielded a theoretical abundance somewhat higher than that inferred from observation. However, Tayler in particular stressed that the computations were sensitive both to the number of neutrino types and to the lifetime attributed to the neutrino.

His words were prophetic: over the years, new measurements have steadily reduced the neutron lifetime to a value that appears to remove the discrepancy, and the realisation that the helium abundance could tell us the number of neutrino types has become a major link between particle physics and cosmology.

In 1967, Tayler left Cambridge to join (Sir) William McCrea in the build-up of the Astrophysics Centre at Sussex, in collaboration with colleagues at the Royal Greenwich Observatory, then located in Herstmonceux Castle. Not surprisingly, he proved a very able administrator, but despite the heavy calls

**Leon Mestel**

**Roger John Tayler**, applied mathematician and astrophysicist; born Birmingham 25 October 1929; Scientific Officer/Senior Scientific Officer, AERE, Harwell 1955-61; Fellow, Corpus Christi College, Cambridge 1961-67; Professor of Astronomy, Sussex University 1967-94 (Emeritus); Gresham Professor of Astronomy 1969-73; Secretary, Royal Astronomical Society 1971-79; Treasurer 1979-87; President 1989-90; OBE 1990; FRS 1995; married 1955 Moya; died London 23 January 1997.



Tayler: clear without being prolix. Photograph: Royal Society

on his time – including a five-year stint as dean and the ongoing supervision of many MSc and DPhil students – he maintained his research momentum, working in particular on stellar magnetism and on the chemical evolution of galaxies.

Tayler was a superb teacher, admirably clear without being prolix. This is apparent from the reading of his papers and review articles, and in his monographs which have a world-wide readership both among students and faculty: *The Stars: their structure and evolution* (1970); *The Origin of the Chemical Elements* (1972); *Galaxies: structure and evolution* (1978); and most recently *The Hidden Universe* (1991) and *The Sun as a Star* (1996), the last two being written in the period of retirement during his last illness.

He was also very generous with his time, especially to students. And on top of all his research activity, his service to Sussex University, his membership of Science and Engineering Research Council Committees, and his work for his local church and the parochial church council, he shouldered an immense burden on behalf of the astronomical community.

Over 20 years he served first as Secretary, then as Treasurer and finally as President of the Royal Astronomical Society (RAS). For about the same period he was managing editor of the society's *Monthly Notices*. Recognition of his services to astronomy came with his appointment as OBE in 1990, and recognition of his research with election to the Royal Society in 1995.

In 1989 Tayler was diagnosed as suffering from myeloma, forcing him to retire a year early from the presidency of the RAS. The technical expertise and dedication of the staff at the Royal Marsden Hospital, and the devoted support of his wife Moya, gave him a six-and-a-half-year period of remission. With characteristically quiet courage and dignity he carried on teaching and research, even giving a lecture course after his official retirement.

**Leon Mestel**

**Roger John Tayler**, applied mathematician and astrophysicist; born Birmingham 25 October 1929; Scientific Officer/Senior Scientific Officer, AERE, Harwell 1955-61; Fellow, Corpus Christi College, Cambridge 1961-67; Professor of Astronomy, Sussex University 1967-94 (Emeritus); Gresham Professor of Astronomy 1969-73; Secretary, Royal Astronomical Society 1971-79; Treasurer 1979-87; President 1989-90; OBE 1990; FRS 1995; married 1955 Moya; died London 23 January 1997.

## D. F. Swift

D. F. Swift was one of a small group of British sociologists whose empirical and theoretical work illuminated the social implications to educational opportunity of a class-stratified society. This was reflected in the *Newson report*, *Half Our Future*, on secondary education 1963, the Plowden report *Children and their Primary Schools* 1967 and in various government policy initiatives aimed at alleviating disadvantage.

Don Swift was born in a village near Liverpool, the son and grandson of a blacksmith. He was educated at St Mary's College, Crosby, and spent National Service in the RAF Police, for a time in Berlin. He trained as a

teacher at the Cheshire County Training College, Alsager, where he met his future wife, Erid. After a period in secondary schools, he returned to higher education and at Hull University read Sociology. Following PhD work at Liverpool, he took up a teaching position in Canada, at the University of Calgary, and later returned to Liverpool, to a post in adult education.

His doctoral research, a study of family background factors on the educational performance of schoolboys in Liverpool, was influential in the burgeoning field of sociology of education in Britain in the 1960s. With sociologists at Liverpool University and a nearby college of

education, Edge Hill, in 1965 he initiated the international journal *Sociology of Education Abstracts*, now in its 32nd year. In 1966, he was appointed to Oxford University's Department of Educational Studies, where his advanced course in the sociology of education attracted present and future lecturers in the field. But it was at the Open University, where he became a Foundation Professor of Educational Studies in 1970, that his concern for educational opportunity found more practical expression. He convened the sociology of education group which contributed to the first large-scale BA degree for non-graduate teachers, offered by

means of a purpose-designed, structured "distance education" programme. The group utilised an unconventional range of perspectives, and its innovative textbooks were used worldwide on both distance education and conventional courses in higher education. As a Pro-Vice-Chancellor of the Open University from 1976 to 1981, he contributed to the establishment of what was then a unique institution in its early years and attracting international interest.

During the 1980s he became acquainted with the Asian Pacific region, for several years directing distance education programmes in Hong Kong for the University of East Asia.

In 1992 he undertook what was to prove his final assignment, as a consultant to the South African Institute for Distance Education. The huge educational problems of the new

South Africa offered a fresh challenge upon which, by temperament, belief and experience, Swift was ideally suited to comment and advise.

Don Swift was a comparatively private and unflamboyant man. His "religion" was cricket, in which he was an active team player each season, and his general physical fitness makes his sudden and premature death the more unexpected.

**Maurice Craft**

**Donald Francis Swift**, educationist; born Ince Blundell, Lancashire 27 September 1932; Professor of Educational Studies, Open University 1970-86; Pro-Vice-Chancellor 1976-81; Director, Open Learning Institute, Hong Kong 1988-91; consultant, South African Institute for Distance Education 1992-97; married 1957 Erid Wilkinson (one son, two daughters); died Johannesburg 20 January 1997.

## Births, Marriages & Deaths

### BIRTHS

**UK:** On Tuesday 10 December 1996, to Fiona (née Dickinson) and Gary, a beautiful daughter, Sophie Grace Kerr. **ATSON:** Mark and Janet Watson announce the birth of Alexander Lawrence Sturz, 1 December 1996, to Fiona and Harriet. **HEATHS:** Grace Elizabeth, died on 16 January 1997, aged 84. Adored wife of Leslie, daughter of poet former Edwin Wells, who planned proposals for tragic and heroic death in 1930. Funeral service at St Michael and All Angels' Church, Blackheath, at 11 am on Friday 7 February, followed by cremation at Eltham Crematorium. Enquiries to Funeral Directors Francis Chappell and Sons, 72 High Street, Eltham SE9 1BT. **ETSON:** Dr Kenneth, homeopath, suddenly on 23 January 1997. Cremation at Exeter & Devon Cemetery, Exmouth on 27 January 1997. Single burial, preferred. Memorial service later at Exmouth on date to be announced. Flowers to P. Kirk, 16 Victoria Rd, Topsham, Exeter, EX3 0EU. Enquiries to Colin Waugh, 1132 44400 ext 6134.

**GAZETTE:** telephone 0171-293 2011.

### Birthdays

Mr Alan Alda, actor, 61; Mr Bobby Ball, comedian, 53; Mr Mikhail Baryshnikov, dancer, 49; Mr Arcker Bill, jazz clarinettist, 67; Mr James Callaghan MP, 70; Miss Enid Castle, former Principal, Cheltenham Ladies' College, 61; Sir Oliver Cheshire, chartered surveyor, 84;

pal, Regent's Park College, Oxford, 63; The Right Rev James Whyte, former Moderator of the General Assembly of the Church of Scotland, 77; Lord Windlesham, Principal, Brasenose College, Oxford, 65; Robert Wyatt, rock musician, 52.

### Anniversaries

Births: Charles George Gordon, general secretary, GMB, 53; Mr Michael Falcon, former chairman, Norwich Union Insurance, 69; Mr Glynn Ford, MEP, 47; Sir Anthony Garner, parliamentarian and public affairs consultant, 70; Miss Frances Gumley, television and radio producer and broadcaster, 42; Mr John Hughes, former Principal of Ruskin College, Oxford, 70; Mr Bill Jordan, general secretary, International Confederation of Free Trade Unions, 61; Sir Timothy Kitson, chairman, Provident Financial plc, and former MP, 66; Professor David Lodge, author and Honorary Professor of Literature, Birmingham University, 62.

The Rev David Morris, MER, 57; Mr Claes Oldenburg, pop artist, 59; Mr Gordon Prentice, MP, 46; Mr Nick Raynsford MP, 52; Maj-Gen Martin Simmatt, former senior executive and secretary, Kemmel Club, 69; Sir Trevor Steel MP, 79; Mr Ian Sloane, ambassador to Mongolia, 59; Professor John Tavener, composer, 53; Mr David Thompson, former chairman, Rank Xerox UK, 65; Sir Michael Webb, former diplomat, 72; The Rev Barrington White, former Princi-

pal, Regent's Park College, Oxford, 63; The Right Rev James Whyte, former Moderator of the General Assembly of the Church of Scotland, 77; Lord Windlesham, Principal, Brasenose College, Oxford, 65; Robert Wyatt, rock musician, 52.

pal, Regent's Park College, Oxford, 63;

Re Rahman: Court of Appeal (Lord Justice Stoghton, Lord Justice Hobhouse, Lord Justice Hutchison) 11 December 1996

In determining the validity of a person's detention as an illegal entrant, the High Court was entitled to take into account all the evidence relied on by the Home Secretary, including such as might otherwise be inadmissible at common law.

The Court of Appeal dismissed an appeal by Saudir Rahaman against the refusal of Mr Justice Collins, on 26 June 1996, to grant him a writ of habeas corpus. The court unanimously dismissed the appeal on the point of law as to whether certain evidence relied upon by the Home Secretary was admissible.

The court, a majority (Lord Justice Hutchison dissenting) also dismissed the appeal on the point of fact, that there was sufficient evidence to conclude that the entrant was an illegal immigrant.

The Home Secretary acting through entrance clearance officers in Bangladesh instituted inquiries about the appellant in date had been born in Bangladesh.

the son of Abdus Somad, on 29 July 1967. Abdus Somad had British citizenship and was living in the UK in 1989 when the entrant, expressing a wish to join him, was granted a certificate of entitlement to the right of abode in the UK. In November 1990 he obtained a British passport.

In 1991 the appellant's wife, Rina Akhter, whom he married in 1988, applied for a certificate of entitlement for herself and their two sons to join him in the UK. Before that application was granted, the Home Secretary received denunciatory letters claiming that one of the two boys was actually their nephew and that the appellant himself was not whom he claimed to be but a man named Mohammed Surab Ali Talukder.

The question of law was thus whether a court, when inquiring into the truth of facts on which an administrative decision had been based, was entitled to have been born in Bangladesh.

look at all the material on which the decision-maker legitimately relied, or only such evidence as was presented in strictly admissible form.

Michael Shrimpton (*Saf Araf, Luton*) for the appellant; Mark Shaw (*Treasury Solicitor*) for the Home Secretary.

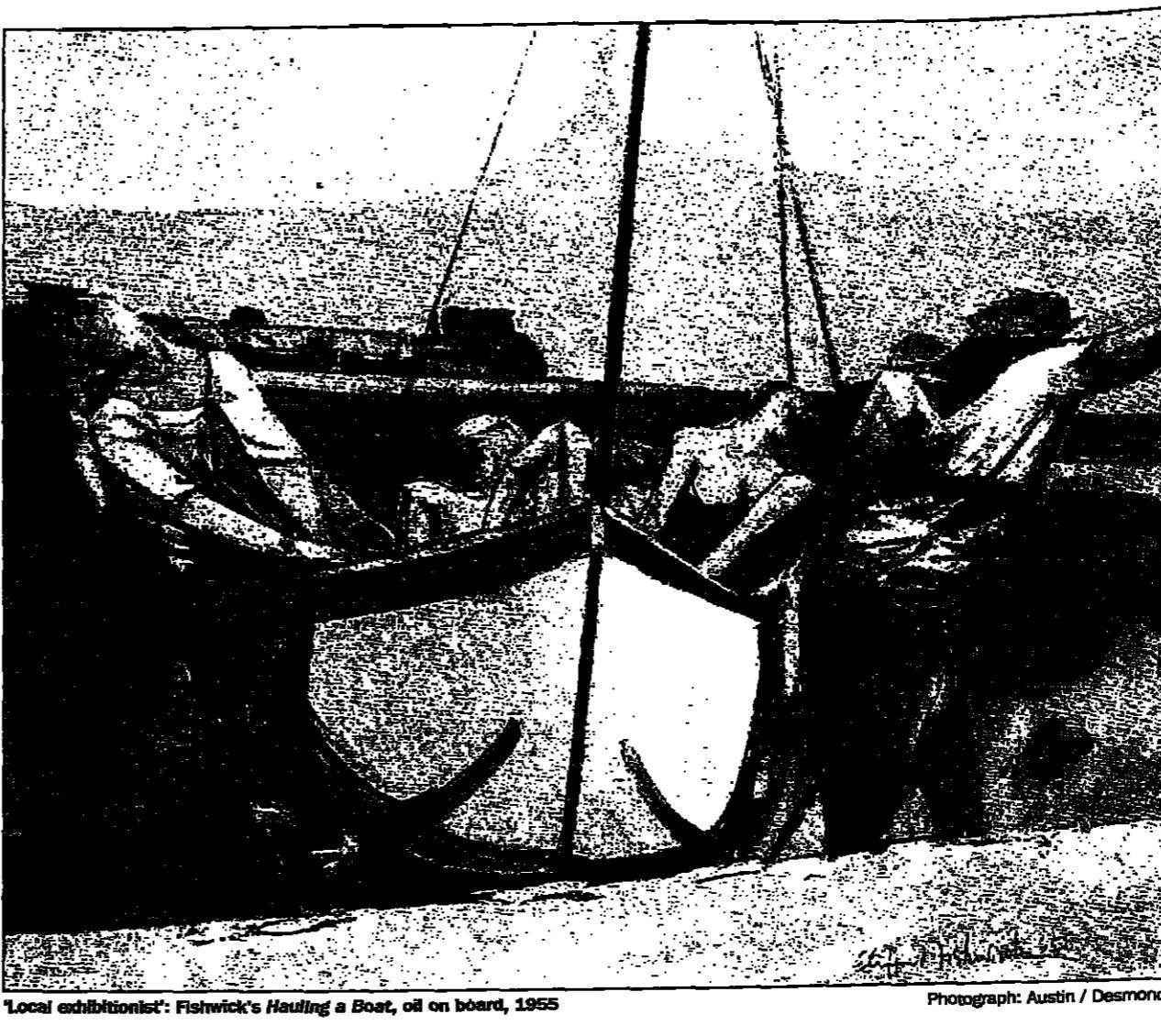
Lord Justice Hobhouse said it was common ground the governing authority was *R v Home Secretary, ex p Khawaja* [1984] AC 74, and that the secretary of state sought to declare a person an illegal entrant, he must prove he was in fact an illegal entrant.

The tenor of their Lordships' speeches in *Khawaja* was an acceptance of evidence which did not necessarily meet the criteria of admissibility for a court conducting a trial. It was implicit that the court could take into account all relevant material, making appropriate allowance for the weight to be attached to it, which of course did not exclude the view that certain evidence should be disregarded if it was not worthy of any weight. The same conclusion was implicit in the judgments in *Ex parte Miah* [1989] IAR 559, and *Ex parte Muse* [1992] IAR 282.

The original determination (taking into account all material evidence) was either valid or invalid: the entrant either was or was not an illegal entrant. If the entrant challenged the validity of the decision in the courts, the exclusion of otherwise inadmissible evidence might result in a valid decision being held invalid. That could not be correct.

The role of the court in these cases was to consider all the available material and to decide for itself whether it had been satisfied by the secretary of state that the applicant was an illegal entrant. The appeal on the point of law therefore failed.

**Paul Magrath, Barrister**



Photograph: Austin / Desmond

## Clifford Fishwick

Clifford Fishwick was one of the group of talented West Country artists who extended the great tradition of English landscape painting into modern terms. He was a friend of the St Ives painters – Peter Lanyon, Paul Feiler, Trevor Bell – and exhibited regularly with the Newlyn and Penwith Societies.

In 1989 Fishwick was diagnosed as suffering from myeloma, forcing him to retire a year early from the presidency of the RAS.

He was brought up in Ellesmere Port and never altogether lost his northerner's accent and shy, self-deprecating sense of humour. His first one-man show in London gave him less pleasure than the banner headline under which it was reviewed in the Ellesmere Port paper: "Local Exhibitionist"

Fishwick was a painter of great technical skill and discipline which he acquired the hard way at the Liverpool School of Art. In 1942, after two years of the rigorous academic training which was then required for Certificates in Painting and Drawing, he joined the Navy and spent the next four years sailing on convoys back and forth across the Atlantic.

He returned to art school, in 1946, to complete his training and take an Art Teachers Diploma. The following year, he moved to Devon and began teaching at the Exeter College of Art where he stayed until he retired in 1984. He became Principal of the College in 1958 and steered it successfully through its student troubles in

1968 and an equally difficult period of major expansion.

All the while, despite his teaching load and heavy administrative duties, he was painting steadily and prolifically. Cézanne and Turner were his heroes. From Cézanne he derived his feeling for structure, his ability to reduce a scene to its barest elements, particularly in the series of beach scenes he painted in the 1950s in which spiky figures tend boats in interlocking, tilted planes of muted colour, representing sand and sea and sky. Later in life, he painted big semi-abstract landscapes, all clouds and flickering light, which owe a lot to Turner. But like Turner, he never lost the sense of place, of the specific scene behind the sweeping, beautifully handled paint.

For me, however, Fishwick's greatest talent was his mastery of that peculiarly English medium, watercolour. Like Cotman, he knew how to capture a scene and an atmosphere in a few delicate strokes and a wash of pale colour. He produced, literally, thousands of watercolours, many of them works of great subtlety, but all done quickly, casually, like jottings in a notebook. He himself took this talent for granted and did not store much store by it.

His subjects were mostly

mountains and moorland, the coast and the sea, but his choice for them was not just painterly. He loved sailing and spent a great deal of time pottering along the south coast of Devon in his yacht *Freyja*, but he loved the mountains even more. I first met Cliff Fishwick, in 1956, at Bosigran, the Climbers' Club hut on the north Cornish coast west of St Ives. At that time, Peter Biven and his brother Barrie were putting up a series of bold and elegant routes on the granite Bosigran Cliff and Fishwick was one of their team. He never pretended to Peter Biven's extraordinary strength and rock technique, but he was the ideal man to have second on the rope – unfapplicable, cheerful and as solid as the rock itself. The sketches he drew of the routes for Biven's 1968 guidebook were not only wonderfully accurate, they were also little works of art in themselves, sensitive and atmospheric.

After Biven's tragic death in a climbing accident in 1977, Fishwick's interest in rock climbing faded, but not his love of the mountains and wild landscapes. Right up until his death, he was out every weekend, tramping for



## argument

# It is 30 years since Christiaan Barnard carried out the first organ transplant, yet the UK still has no rules for who gets treated – and who is left to die

by Jack O'Sullivan

**F**or nearly three decades, surgeons have been saving patients on the verge of death thanks to organ transplantation. These days, the pioneering work of Christiaan Barnard is almost routine but still miraculous for those lucky enough to receive a new heart, lung or liver. Yet the reasons why some are chosen and others are turned away remain shrouded in secrecy. It is extraordinary that those refused a transplant typically accept the decision without rancour. They certainly do not contest it publicly. And then, usually, they die.

The case of 15-year-old Michelle Paul, the teenage drug user who died after being refused a liver transplant, has, however, thrown a rare spotlight on the Godlike powers doctors retain in determining which patients receive the small, limited supply of vital transplant organs – and who dies. Even now, few people appreciate the lack of rules governing these powers.

Christianity's God promises eternal life if you abide by 10 clearly defined commandments, but there are no such national guidelines to inform a dying person what is required to qualify for a new liver, heart, lung or kidney. Without such rules, it is difficult to seek judicial review of a doctor's decision. So unless transplantation from pigs is perfected and offers a plentiful

supply of replacement organs, patients must place their hopes in the paternalistic hands of the doctors whose preferences control this particular lottery.

You might think qualification depends on being next on the waiting list or on being seriously ill or on being young or having dependent children. Doctors certainly consider these factors. They take extremely seriously the responsibility of deciding between competing claims. But there is no formal points system, which, though imperfect, would at least be transparent and contestable. In practice, the final decision is left to a doctor's discretion by the United Kingdom Transplant Support Services Authority, a doctor-dominated body which oversees the system for the NHS. Doctors alone decide whether someone is even put on the waiting list.

There is, therefore, little to prevent a surgeon from choosing to give little Johnny a new liver because his dad is an old friend from university and the surgeon couldn't possibly let him down. If a surgeon behaved in this way, the public would not discover his reasoning because there is no legal requirement upon doctors to explain why they gave one patient an organ and turned down another. The authorities judge that such decisions – and even the people who make them – are best kept out of the public gaze.



Christiaan Barnard in 1967 with the first heart-transplant patient, Louis Washkansky

This hidden, unaccountable world is typical of a health service that refuses to involve the public in the rationing of health care. It has disturbing echoes of Michael Crichton's 1978 fantasy thriller *Coma* in which comatose patients are used as donors for organ transplants. At the denouement, Richard Widmark, the chief surgeon at the centre of the plot, protests that he and his colleagues behave like gods because neither the public nor politicians are willing to face the hard issues raised by medical advances.

**T**his much is certainly true of the British transplant programme, according to a research project just completed during a British government-sponsored Atlantic Fellowship by Jeffrey Prottas, Professor of Public Policy at Brandeis University, Boston. Dr Prottas has discovered that there is no easy way to check that organs are being used equitably. Socio-economic data on those given organs – and those denied – are not collected. So we do not know if selection for transplant is biased in terms of race or class. One can only rely on a suspicion that a system run largely by white, professional men will, however inadvertently, benefit their group disproportionately.

"At a local level", says Dr Prottas, "there is no public oversight of what happens to organs. Who's next depends on the physician in charge who may vary from day to day. So Dr Small might have a different set of priorities on Thursdays than Dr Jones does on Fridays."

The systems I have no reason to believe that bad decisions are being made under what people in the transplant world call the 'club rules'. And the outcomes in terms of survival are as good as, for example, the United States. But

sometimes personal compassion can take over from professional judgement. For example, maybe the husband of a senior colleague needed the transplant, so something had to happen."

A further problem with the British system, says Dr Prottas, is that it is difficult to tell whether the NHS gives every region the same chance of transplants. There is little requirement on regions to share non-renal organs, except in an emergency. (One out of every pair of kidneys collected must be offered into a national pool.) So if you live in an area where relatives are reluctant to permit organ donation or where the health authorities are poor at procurement, your chances of survival may be considerably lower than your liver fails than for someone living elsewhere in the country.

The death of Michelle Paul suggests that the UK transplant system, which has long worked within a cosy professional consensus, may be fragile. Like the blood transfusion service, it relies on the trust of the public, which is the source of donated organs. If that trust falls apart, grieving relatives may in future be less generous with the remains of their loved ones.

That danger has already been faced in the US where there are now far more rules than in Britain to determine rights to a transplant. Last year, in a case similar to Michelle Paul's, a woman with Down's syndrome was refused an organ transplant because doctors judged her incapable of maintaining the lifelong drug regime required to prevent rejection. A public outcry provoked a review which overturned that decision – it emerged that the woman, though retarded, held down a job and was responsible. Michelle Paul, before she died, had no such opportunity of a fair and impartial hearing.

## Should those who abuse their bodies pay the price?

by Glenda Cooper

**D**isease generally begins that equality which death completes," said Dr Samuel Johnson. But in the world of modern health care it seems some patients are now more equal than others.

The allegations made last week that a 15-year-old girl had been denied a liver transplant after taking ecstasy raised once again the moral question: if a patient is a smoker, a drinker or a drug abuser does that somehow make them less worthy of treatment than virtuous people who have eaten their greens every day?

The details of Michelle Paul's case are not yet known, as the fatal accident inquiry has been adjourned until April when Ms Paul's surgeon, Hilary Sanfrey, will have the chance to testify. But if it does emerge that Ms Paul was denied the chance of a liver transplant solely on "moral grounds", because of her drug use, this will make us question anew the values we apply when deciding who gets treatment.

Drug users are not the first people to fall foul of implicit rationing in the NHS. In the past there have been claims that smokers and drinkers have been left at the back of the queue. In 1993 Harry Elphick, 47, was refused treatment for a heart condition because he was a heavy smoker. Consultants at Wythenshawe hospital in Manchester told him that tests to show if a bypass was needed were not carried out on smokers. Mr Elphick quit his 25-a-day habit but died a week before he was due to see doctors again.

Then in 1995 it was reported that transplant units were under pressure to stop offering £60,000 liver transplants to alcoholics, after evidence from the US that most patients return to heavy drinking after the operation. By some criteria it seems a logical policy. The UK Transplant Support Services Authority reports that there was a 6,000-strong waiting list for all organ transplants in 1995, despite 2,750 taking place. The waiting list had grown by 5 per cent.

So why should the rest of us pay for a new heart for someone who has brought their condition upon themselves by puffing away on 40-a-day? Why should someone who regularly consumes three bottles of vodka a day – as Jim Baxter, the former Scottish football international who received two new livers was said to do – receive a new organ after bringing cirrhosis upon themselves? This is, after all, the real world where there are never enough organs to go round and the dangers of excessive drinking or smoking have been clear for years.

But to start rationing because of deviant lifestyles is a dangerous step. The General Medical Council felt the need to make its view explicit in 1995 when it issued revised guidelines making it clear that doctors "must not allow their views about a patient's lifestyle, culture, beliefs, race, colour, sex, sexuality, age, social status, or perceived economic worth to prejudice the treatment they give or arrange". The council added that doctors "must not refuse or delay treatment because [they] believe that patients' actions have contributed to their condition". The British Medical Association said decisions must be made on clinical need and "patients should not be discriminated against on the basis of moral judgements".

Where, after all, do moral judgements leave us? There have also been allegations of discrimination and prejudice against drunk drivers, gay men with HIV, women seeking abortions, people from ethnic minorities and the elderly. In the end, should dentists refuse to treat children who have persistently and defiantly eaten sweets all their lives?

If a smoker, a drinker or a drug user is unlikely to survive a complicated transplant operation then, in the real world, it is better to give the organ to someone who can benefit more. But to condemn them purely for their habit and refuse to treat them on that basis is repulsive.

Surely it is more important to encourage more people to pledge their organs for use after their death so the waiting list can be contained, rather than stigmatizing people for their habits. "Life unworthy of life" was, after all, the phrase used by the Nazis to justify the murder of 100,000 psychiatric patients in the run-up to the Final Solution.

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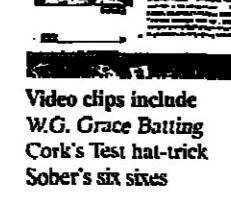
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## A defining moment in British history

**T**here are several ways of filling in the time before the next election. One is to put your head in the sand and pretend it may never happen, as the Tories seem to be doing. Another is to shrug your shoulders and say that it won't make a lot of difference either way, as the electorate seems to be doing. And another approach is to get so terribly excited that you even start speculating over what might be in the Tory manifesto, the approach preferred by the media.

For the remaining handful of us who are determined to take this election seriously, it is to look for a way of getting the Tories out without letting Labour in. I am providing a series of election guides of which this is the first, a glossary of the main terms which you will be hearing in the run-up to the election.

**ABSTAIN**  
When a constituency party chooses a candidate, it is said to adopt him. This is so that later on, if the candidate fails, the party committee can send for him and say: "I'm afraid we've got something to tell you, Jim. You're not our real candidate. You're only

up later and later with a glass in your hand which you keep refilling. The more you refill the glass, the hazier things get and you finally forget which one is Dr Mawhinney and which one is Vincent Hanna, and all the Dimblebys merge into one big Dimbleby, and finally you roll into bed drunk but happy at 4am, and the next morning your partner says, "So who won?" and you find you can't remember. So when this election does finally come, it is probably best to try to abstain on the night.

### ADDRESS

It is traditional for each candidate to send out a leaflet with his or her election address on it. Oddly enough, the only address that is ever given in full is not that of the candidate but of the printer of the leaflet.

### ADOPTION

When a constituency party chooses a candidate, it is said to adopt him. This is so that later on, if the candidate fails, the party committee can send for him and say: "I'm afraid we've got something to tell you, Jim. You're not our real candidate. You're only

adopted. So we are kicking you out. Sorry."

**BLOOTERED**  
A Scottish word for not abstaining.

### BROAD CHURCH

Whichever party is accused of lacking unity, it defends itself by saying that it is big enough to risk disagreement in its ranks and is not afraid of debate, unlike the other side. It then says: "We are a broad church." If it means anything, this means that they are broad-minded enough to accept agnostics and atheists if things get bad enough.

**CANDIDATE**  
A person who wants to become an MP, and is therefore by definition a bit of a loony, is called a candidate. If he or she succeeds in becoming an MP, they will be sent to a large home for the incurable in London called the House of Commons where they can mix with others suffering from the same delusions. Note that a candidate never describes himself as simply a candidate. He always calls himself "your" candidate. "Hello, I am your Tory candidate," he tells you. This is untrue. He is not your candidate. He is the Tory party's candidate, and if elected he will not become your MP – he will become the Tory party's MP.

### CLARK ALAN

We shall be seeing a lot more of Mr Alan Clark in the election run-up. Among other things he is the first Tory candidate in history who has ever been selected on the grounds that he will get a good diary out of the next parliament. He has been chosen for what is described as a "safe Tory seat", a concept which has otherwise

almost disappeared from meaningful discourse, and will therefore have more time than most Tories to go on radio and TV. He is also believed to be the first Tory candidate to be chosen for his age, which is 69. In most candidates this would be thought to be over the hill, but in Clark's case it is thought to be a good sign that he is now too old to chase the girls, or at least to catch them.

### CONSTITUENCY

As election night rolls on, this becomes the hardest word of all to say. As a matter of fact, people who are auditioned for the presentation of *Election Night Special* have to drink two stiff whiskies and then say "The Chichester constituency" three times without a mistake.

### DEPOSIT

A small mark on a ballot paper which leads to it being deemed a "spoilt vote". Next time we shall range even further into the alphabet, landmarks as "elder statesman", "fringe candidate" and "spin doctor". Start collecting now!



Miles Kington

## Michael Portillo misjudged politics and public

**T**here used to be something called the New Right. It didn't mind being a divisive force within British Conservatism. Indeed it wasn't really conservative at all, but radical. It imported some of its ideas from the United States. Its figurehead, Margaret Thatcher, was never unambiguously New Right, but many of her younger and most devoted followers were. Most of them had seen respect for institutions such as the Bar, the BBC and Oxbridge. Some of them were convinced libertarians. At least one present minister was an advocate of legalising heroin when he was, like Michael Portillo, a backbench member of the Thatcherite No Turning Back group. And while they weren't remotely republican, they weren't misty-eyed ultra-monarchs, either. They weren't really all that interested in the subject.

But having hijacked the Tory bus for a decade or more, the most ambitious of them started to recognise that many of its passengers had other, more old-fashioned, obsessions. The attempt by the pretenders of the new right to reconnect to the old right has been a submerged but important story of the last five years. It is surely part of why in 1994 Portillo started making the odd speech lamenting the dispute into which the country's ancient institutions, including the monarchy, had fallen. This was all the more striking because he came from the wing of the party which had shown the healthiest disrespect for tradition. And it was part, perhaps, of why John Redwood made the refitting of *Britannia* an eye-catching centre-piece of his 1995 Tory leadership campaign. All this reached a kind of zenith in the House of Commons on Wednesday, when Portillo delighted a wide section of his party, and appeared to trump his leadership rival, Redwood, by announcing that *Britannia* was to be replaced, at a cost of £60m, from public funds.

Portillo has run into trouble on two fronts. First, he has been caught playing party politics with the monarchy. Which has upset the very Palace courtiers the announcement was designed to please. He might just have escaped that charge – witheringly levelled by Sir Edward Heath yesterday – had he not made the revealing slip on Sunday of gloating that Labour had been “wrong-footed”.

Secondly, he has misjudged public opinion. The poll commissioned immediately after the TV royal debate two weeks ago showed large support for a continuing monarchy. On the other hand, that polling – and rudimentary polling carried out since Portillo’s announcement – suggest that most people still think the Royal Family costs the taxpayer too much money. It’s all very well saying airily that £60m is just small change to the Treasury. To most ordinary people, innocents as they are, it sounds like rather a lot of money.

It is easy to put this down to mere misjudgement; goodness knows Portillo has shown



Donald Macintyre

Politicians have a habit of going wrong when they try to be what they aren’t

questionable judgement before. The gruesome, stomach-turning speech to the 1995 conference trying – and spectacularly failing – to incorporate the SAS as the military wing of the Tory party was only one of several.

But he had seemed to settle down. His conference speech last year was a model of statesmanlike dullness. He can’t simply be patronisingly let off as a callow and inexperienced politician. It’s not only that he is one of the most intellectually capable British ministers; the reputation he has since rebuilt at the Defence Department is all the more remarkable given the damage he did himself with the SAS speech. Whether it will be undamaged by this latest episode remains to be seen; can the hard-pressed Chiefs of Staff really want the running costs of the yacht to be financed out of the Ministry of Defence’s own budget – an idea thought dependent by the former defence minister Alan Clark? It’s hardly an example of Front Line First.

The answer is surely at once deeper and more serious. Politicians have a habit of going wrong when they try to be what they aren’t. There is a formidable case for saying that’s just Portillo’s problem. And it’s not only that coming from the state-shrinking wing of the party, Portillo had been a formidable spender at the MoD – partly by securing the purchase of hugely expensive weaponry which many of his critics think is of doubtful value in the post-Cold-War era. One of Portillo’s great potential strengths as a politician is that he is, like Disraeli, partly an outsider. With a Scottish mother and a brave and distinguished Spanish republican as a father, Portillo has a larger perspective than many of his colleagues. Is the Tory party really so xenophobic that he has to submerge his proud Castilian origins in a sort of mystical Anglo-chauvinism?

The yacht may, in some ways, be worth having. Hamish Macrae demonstrated here last week how it could be made to sweat financially in the national interest. But the euphoria that greeted the Portillo announcement harked back to an earlier era in which it was a symbol of a now obsolete imperial pride. The Queen herself, in 1994, made it clear that in the jet age she no longer needed it for travel. And here is the danger for Portillo, especially if he becomes leader of the Tory Party. The world he will seek to inherit will probably be very different. The monarchy may prove to be a rather powerful symbol of how. It’s a safe bet it will survive – and an equally safe bet that it will be in a slimmer-down, modernised form. The danger for Portillo, and the case of the yacht is only an example, is that rather like Anthony Eden in the Fifties he will be seeking the highest office just when the ideas with which he rose in politics have been superseded. Of course, it’s true that the fault isn’t Portillo’s alone; the whole Cabinet took the decision. But Portillo wanted the credit. He must surely take the blame.

Of this, £219,000 is for Princess Margaret. So the Queen may be thought to have skirted around Willie Hamilton’s question: what is Princess Margaret for? She is the Queen’s sister and she, not the public purse, helps support her.

However, the £890,000 for

these royals comes not from the Queen’s private pocket but from somewhere very different – the Duchy of Lancaster.

There is much confusion over the status of the Duchy, whose annual income of £45.35m goes to the Queen. That she draws this revenue suggests that it is her private property, yet when the Palace calculates her private wealth they never include the 51,150 acres of land and £32m of investments from the Duchy. Also, the Duchy, if not on a day-to-day basis, is in the charge of a government minister.

At the moment it is Roger Freeman who carries the title of Chancellor of the Duchy of Lancaster (his main job is Minister for Public Service in charge of Civil Service Reform and the Citizens Charter). So it

seems strange that the money does not go to the Government,

as is the case with the profits of the Crown Estate.

Over the last 200 years, all manner of leading politicians have maintained that the Duchy and its revenues really belong to the public. These include Edmund Burke, Lord Palmerston, Lord Brougham, Sir Charles Dilke, Clement Attlee and many more.

The Duchy of Lancaster’s origins go back to 1265, even further in time than the Duchy of Cornwall, a higher-profile organisation, whose income goes to Prince Charles. Monarchs had for hundreds of years treated the Duchy of Lancaster’s rents, along with tax revenue, as money for the business of government, not as a fund for personal expenses. So it is an anomaly, now that government finance is totally detached from the monarchy,

that its profits did not pass to the Treasury.

The Duchy revenues would

have been transferred to the public purse in the last century, if William IV in 1830 had not dug in his heels and simply refused to hand over the income. The government of the day gave in, vainly hoping to get William not to use the royal prerogative to block the Reform Bill to extend the vote from its then extremely narrow base. They were unconvinced of his case, but acted out of expediency. He did not return the favour, and in the end did his best to block the Bill.

A

government attempt at

taking back the Duchy in 1860 came to nothing. It probably backed down in face of opposition from the recently widowed Queen Victoria.

Yet the ties to government

remain. The Duchy, whose headquarters are close to Waterloo Bridge in London, requires Treasury approval for many of its financial decisions. In this respect it has the same relationship with the Treasury as other government departments. It also has to submit accounts to Parliament, again showing that it is hardly a private possession of the Queen.

Even Kenneth Clarke, when he was Chancellor of the Duchy in the late Eighties, confessed that a “private estate” which was regulated like a government department, “puzzles me”. The solution to the puzzle is that this is not money that should legally and constitutionally go to the monarch.

Princess Margaret also lives rent free at Kensington Palace, which is maintained at public expense. Other perks, such as her clothing allowance for official royal tours abroad, are paid for by the Foreign Office. In June 1995, a one-week visit to San Francisco seemed to require a clothing account for that visit alone of £7,200 – more than those at the bottom end of the income scale might spend on clothes in a lifetime.

However, it is the Duchy revenue which is the biggest loss to the taxpayer. If Margaret and co plus the Queen’s cousins – who from an earlier date were put on the Duchy payroll – cannot make do on their own, the Queen might pay for them from her own pocket. This is, in any case, what people think already happens.

Estimates of the Queen’s wealth in stocks and shares vary, from the Palace’s own £75m to mine of more than £400m. Even on the lower figure we can afford to keep them above the poverty line, especially as some of these royalties are hardly urgently in need, when they or their spouses already earn an income as company directors, and also have inherited wealth.

If our prospective iron chancellor, Gordon Brown, can show some resolve towards the royal yacht, he should do likewise and make plans to take back the Duchy of Lancaster.

Philip Hall is author of ‘Royal Fortune: Tax, Money and the Monarchy’ (Bloomsbury).

## Keeping the royal hangers-on afloat

by Phillip Hall



If Margaret and co can’t make do on their own, the Queen should pay for them herself

## No passport, no job

A new law dictates that employers must also be immigration officers. By Camilla Palmer and Alison Stanley

**B**eginning this week all employers, even those employing only one individual (such as a nanny) will take on a new role – that of immigration officers. The Home Office denies this, saying that “responsibility for immigration control remains firmly with the Immigration Service”. Yet the new Asylum and Immigration Act 1996 in effect imposes an obligation on employers to carry out checks on all job applicants to see if they are allowed to work in the UK. Although these checks are not compulsory, if employers do not carry them out they risk a fine of up to £5,000 if that employee has no right to work in the country.

Employers will not commit an offence if they check, before hiring someone, that she or he has a right to work in the UK. This is done by asking for one of a number of specified documents, for example a passport or other travel document, birth certificate or document stating the person’s national insurance number. However, it is often very hard to work out from these documents whether a person has the right to work.

The quantity of documents is extensive and employers may decide to rely on national insurance numbers. However, as national insurance numbers have been issued to a large number of people who do not have an unqualified right to work in the United Kingdom, a national insurance number alone will be insufficient in certain cases. The most obvious example is the working holiday-maker category. Thousands of young people come to the UK every year in that capacity.

Working holiday-makers are Commonwealth citizens, aged between 17 and 27 who are given permission to work in the UK for up to two years, “incidental to their holiday”. This phrase is not elaborated in the Immigration Rules, nor is it clear from the passport stamp given to a working holiday-maker, but people on this category are meant to work only part-time, or on a casual basis. If they work full-time, they should only do so for half of their stay in this country.

Some people may consider it easier to interview and appoint only white applicants

that some employers will make an assumption that white applicants have the right to work but black and ethnic minority applicants do not. There is a real risk of race discrimination, as some employers may consider that it is easier to interview and appoint only white applicants. Others may carry out a check only on applicants who they think do not have a right to work here. Employers who act on these assumptions will fall foul of the Race Relations Act. The starting point should be, as the Government itself acknowledges, that most people from ethnic minorities are British citizens and most non-British citizens from the ethnic minorities are entitled to work here.

The Race Relations Act outlaws discrimination on the grounds of race in the selection of employees. The Home Office

guidance points out that if an employer refuses to consider anyone who “looks or sounds foreign”, this is likely to be discrimination. It will also be discriminatory to ask people who look or sound “foreign”, for their passports and people who look or sound “British” for their national insurance number. The only way to avoid discrimination, advises the Government, is to treat all applicants in exactly the same way at each stage of the recruitment process. Employers who do not appoint a person in order to avoid having to carry out a check or who only do checks on white applicants will be breaking the law. And the consequences can be expensive. There is now no limit on the amount of compensation that can be awarded under the Race Relations Act. Some applicants have received substantial awards, one recently for £130,000 for unlawful discrimination.

Racial discrimination in the workplace is already rife. There is high unemployment among many ethnic minority groups, who are also denied training opportunities and promotion. There is a continuous stream of discrimination cases brought against employers for denying jobs, training, and promotion to people because of their race, nationality or colour. The employment provisions of the Asylum and Immigration Act 1996 are yet another barrier to equal opportunities.

The Labour Party also believes that the checks will harm race relations, place further burdens on businesses and will be ineffective in tackling illegal working. Jack Straw, the Shadow Home Secretary, has said that the checks “will almost certainly be effective in limiting further the employment prospects of black and Asian people and damage race relations.” He has pledged that a Labour government would not enforce the provisions. He should go further and pledge to repeal them.

The writers are solicitors at Bindman & Partners in London specialising in discrimination and immigration law.

Oh for a warm body to answer BT’s phone

**B**ritish Telecom has spared no expense telling us it is “good to talk” and now it is spending tens of millions of pounds teaching us how to talk good (so to speak) with its new TalkWorks programme. This is all about the art of conversation and its secrets can be found in a 94-page book that is being sent free to 20 million households.

Mine was not one of them so I rang British Telecom. “Good afternoon, welcome,” said a voice and I realised this was not going to be a quick call. This is what the experts call an “interactive voice response” unit or IVR. So far, 38 per cent of all calls in western Europe are answered by these machines.

The others get what they call a “warm body response”, and that was what I wanted: a warm body to order my booklet from.

The Voice had other ideas and was already on a tangent, asking personal questions about touch-tones and telling me to hit my “star” key. This had to be a bad idea and yet for some reason – curiosity? honesty? frustration? – I did. Five options followed but none even got close to my request. “I’m sorry, I didn’t detect a valid key press,” said the Voice, and started repeating herself.

I rang back but – very daring this – did not hit the star key and waited for the warm body that surely must follow. To my horror, the Voice was back: “To use this service, you will be asked to speak your response.” She ran through the same options. I refused to speak. She refused to react. I hung up

because that is what you do when you realise you are having a fight with a machine.

More calls, more voices,

musical interludes and wrong numbers. Finally a warm body came back with a Freephone number. This time I expected the Voice but it just kept ringing. I hung on, charting emotion as follows:

irritated at ring 10, frustrated at 20, angry at 30, seething at 35 and amused and amazed at 40. By the time a warm body answered on the 47th ring, I just said “hello” and asked for the booklet.

TalkWorks has lots of tips for being loving, giving, caring, sharing. It advises us on being a good storyteller, a good understander (*sic*) and how to “give feedback”. It says that we should “avoid the blame game” and “make conversations like dancing – a two-way partnership with neither side dominating”.

For most people this would involve five years of therapy, minimum. The hunt may have at least 12 words for snow but the British are minimalists who have managed to make the word “sorry” mean anything from “I think you are an idiot” to “I think you are fabulous”. Stiff upper lips do not make the best dance partners and there is some way to go before we are tangoing and not just tangled (or even know the difference).

Of course BT has even further to go. We humans can always keep on trying but machines couldn’t dance if they tried.

Ann Treneman

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## Strong growth not enough to force rates rise

**Diane Coyle**  
Economics Editor

The economy's pace of growth picked up to the fastest for more than two years in the final quarter of 1996. But the fact that it was no stronger than expected led City experts to predict interest rates would not rise this side of the general election.

The service industries set the pace, with growth in business and financial services revisiting late-1980s rates. Construction also picked up significantly, while industrial output grew at a similar rate to the third quarter and agricultural output fell.

Analysts concluded that this was not buoyant enough to

force Kenneth Clarke to accept Bank of England advice to increase the cost of borrowing. Eddie George, Governor of the Bank of England, is expected to repeat this advice at the monthly monetary meeting next week - a week ahead of the Bank's quarterly Inflation Report.

"The Chancellor and the Governor are both in an entrenched position," said Geoffrey Dicks, an economist at NatWest Markets. "But Mr Clarke has got more on his plate than worrying about the inflation rate at the back end of 1998."

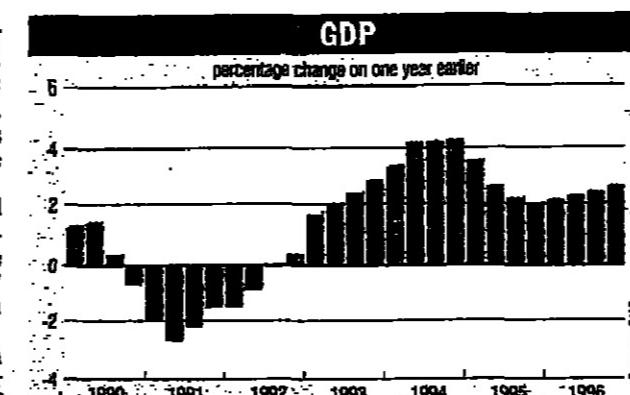
Gross domestic product (GDP) increased by 0.8 per cent in the final quarter of last

year, taking it to a level 2.5 per cent higher than a year earlier. Excluding North Sea oil, the quarterly rise was 0.7 per cent.

GDP in 1996 as a whole was 2.3 per cent higher than the previous year.

Throughout the length and breadth of the country households are enjoying the benefits of healthy economic growth," Mr Clarke said, commenting on the figures.

Speaking on BBC television on Sunday, the Chancellor played down suggestions of disagreements between himself and Mr George. "I'm not going around thinking I'm infallible. The differences between us have not been enormous," he said.



Details of the breakdown of growth are sketchy at this preliminary stage, but the Office for National Statistics (ONS) indicated that growth was strongest

in the service industries. There total output was up 0.9 percent, reaching a level 3.4 per cent higher than a year earlier.

Growth in business and financial

services was at the upper end of their recent range of 1-2 per cent a quarter, making it similar to the pace set in 1988.

Within finance, the strength was concentrated in banking. Within business services, computer services and areas such as law, accountancy and management consultancy were the most buoyant.

The construction industry expanded by significantly more in the fourth quarter than it had in the third, according to the ONS. Although the gains were spread across sectors, housebuilding was especially strong. The statisticians estimated that manufacturing and industrial output had grown by about as much in the October-

December quarter as they had in September to November. Figures published for that period show growth of 0.6 per cent and 0.4 per cent respectively.

Many City economists reckoned yesterday's figures, combined with signs of weakness in manufacturing due to the strong pound, meant Mr Clarke would be right to postpone a rise in interest rates. Others say the recovery is gaining strength and could trigger higher inflation unless the cost of borrowing rises.

"With economic growth set to accelerate further during the course of the year, we expect interest rates to rise significantly in 1997," said James Barty, UK economist at Deutsche Morgan Grenfell. Comment, page 17

## Steel sells BSF for £74.5m in strategic U-turn

**Chris Godsmark**  
Business Correspondent

British Steel yesterday announced what amounted to a strategic U-turn with a £74.5m deal to sell its forgings business, British Steel Forgings, which makes a wide range of products for the engineering industry.

It comes just two years after British Steel bought out its partner in the division, the car parts group GKN, arguing that the engineering steel business was now a "core activity". British Steel Forgings (BSF) was previously part of a series of Government sponsored "Phoenix" companies created in the 1980s to rationalise an industry dogged by huge overcapacity.

The latest deal involves selling BSF to a newly formed business, United Engineering Forgings, created and funded by the venture capital group Prudential Venture Managers. British Steel will receive £74.5m in cash, while Prudential has raised a total of £92m to fund the management buy-in and pay for future investment.

Prudential said the existing management of BSF would stay in place, but it had appointed Bob Bates as a new chief executive. Mr Bates was previously managing director of a subsidiary of T&N, the automotive components group. BSF's current chief executive, John Dawson, will return to British Steel.

BSF is a key player in the market for forged products used in the car and aerospace industries, with around half of the UK's forged steel manufacturing capacity. It has 2,100 employees at six plants and made a trading profit of £10m in the year to 31 March 1996 with sales of £157m.

Prudential said it wanted to concentrate on increasing export business, despite admitting concerns over the recent surge in the value of the pound. It said the buy-in should secure jobs, though it could give the workforce "no guarantees".

In another apparent shift in direction, British Steel yesterday said it decided to sell off the company because "as a stand-alone downstream business" it was "somewhat removed" from its core steelmaking and rolling activities. However, the £93m agreement in 1995 to buy out GKN's 34 per cent stake in BSF's parent, United Engineering Steels, was viewed at the time as a move by British Steel into higher value-added products.

Like other "Phoenix" companies, United Engineering Steels was hit by fierce competition and declining demand during the recession, leaving GKN with losses of £60m on its original investment made in 1986.



Brake on the bid: Brian Souter, chairman of Stagecoach, is seeking an early meeting with OFT to resolve the ScotRail issue

### Mr Souter's great railway journey

**Dec 1995** - First move into the rail industry as Stagecoach is awarded seven-year franchise to run South West Trains - Europe's biggest commuter railway with 200 stations and 4,000 staff.

**July 1996** - Stagecoach buys the train-leasing company Porterbrook for £825m and announces that it will bid for all remaining British Rail franchises.

**Oct 1996** - Starts operating rail services on the Isle of Wight after being awarded a five-year franchise to operate the Island Line.

**Jan 1997** - Stagecoach seeks urgent talks with the Office of Fair Trading after being told it will be referred to the MMC if it is awarded the franchise to run ScotRail. Comment, page 17

## Stagecoach held up by threat of MMC referral

**Michael Harrison**

Stagecoach, the acquisitive bus and train group, was stopped in its tracks yesterday after the Government warned it would be referred to the Monopolies and Mergers Commission if it was selected to run ScotRail, which operates rail services in Scotland.

John Taylor, the corporate and consumer affairs minister, took the decision after being advised by the Director General of Fair Trading, John Bridge, that a takeover would give rise to competition concerns in Scotland. The Government's announcement is unusual in that it is the first time a company has been blocked from taking over a passenger rail service before the franchise has been awarded.

The decision is a setback for Stagecoach, which is expanding aggressively from buses into

trains as part of a strategy to increase turnover to £2bn by the end of the decade.

As well as being Britain's second-biggest bus operator, the group already owns two rail franchises - South West Trains and Island Line on the Isle of Wight - and the Porterbrook train leasing business.

Stagecoach is also one of the biggest bus operators in Scotland, running services in Glasgow, Aberdeen, Inverness, Fife and Perth. If selected for the ScotRail franchise, it would be the most powerful player in the Scottish transport market.

ScotRail has annual revenues of £86m, just under 4,000 staff and operates 1,300 route miles between 327 stations.

A spokesman for Brian Souter, the chairman and co-founder of Stagecoach, said last night: "We are seeking an early meeting with the Office of Fair Trading. We would not

have started on the process of bidding for ScotRail if we had thought the problems were insurmountable."

Stagecoach is in competition for ScotRail with the coach operator National Express, Prism, which is owned and run by a group of bus industry executives, a consortium involving Go Ahead, another bus group, and the ScotRail management.

A spokesman for the DTI declined to spell out precisely what its objections were other than to say that it was concerned about "numerous and complex potential rail and bus overlaps in the franchise area".

Last month National Express agreed to a series of undertakings to avoid an MMC referral of its takeover of another rail franchise, Midland Mainline.

The Government was concerned about its domination of

the market on coach and rail services between London and five cities in the Midlands and the North. However, the DTI spokesman said that in the case of Stagecoach and ScotRail there were no undertakings that would be sufficient to prevent a referral.

It is not clear whether Labour would block the sale of ScotRail if it were in power when the MMC reported. Under the Railways Act, the Secretary of State for Transport is under a duty to privatisate the railways. Were Labour to decide not to award the ScotRail franchise then it would probably have to amend primary legislation.

Stagecoach is also bidding for the five other passenger franchises still to be awarded - Central Trains, North West Regional Railways, Regional Railways North East, Thameslink and InterCity West Coast.

Comment, page 17

## Morgan Grenfell outperforms pension fund heavyweights

**Peter Rodgers**  
Financial Editor

Morgan Grenfell was among the top performers among big name pension fund managers last year, while the controversial PDMF funds made a late spurt in the fourth quarter to regain a little of the ground they had lost earlier in the year.

Morgan Grenfell, employer of Nicola Horlick, the fund manager who quit this month, was in sixth place overall, beaten by several much smaller funds, according to a survey of pension funds by CAPS and the actuaries Bacon & Woodrow published today.

Prudential faced six charges, including the failure between July and November 1993 to make up a deficit in its self-select PEP client money accounts.

Prudential faced six charges, including the failure between July and November 1993 to make up a deficit in its self-select PEP client money accounts.

But the larger pooled pen-

sion funds it showed the best return, of 12.2 per cent. Morgan has £934m under management.

Pooled pension funds tend to be a small proportion of a manager's total funds, but since their performance is publicly measured by surveys they are used as shop windows for their companies.

The survey also shows that Scottish Amicable, which next week gives more details of its plans to demutualise, had well below average performance last year.

Its rate of return was 8.5 per cent, compared with the median of the 71 pooled pension funds surveyed of 10.7 per cent. ScotAm's performance was

held back by a negative rate of return of 0.2 per cent in the fourth quarter, compared with PDMF's growth of 2.7 per cent during the same period, taking PDMF's annual rate of return to 8.1 per cent.

PDMF has been under the microscope since Tony Dye, its top manager, took his funds heavily into cash in the belief that the stock market was about to crash. Its rate of return remained near the bottom of the league table of large fund managers last year, even with the late spurt.

Nigel O'Sullivan of Bacon & Woodrow said PDMF's style of selecting stocks for value paid dividends in the last quarter.

We can categorically say that we will not be selling or closing any more stores.

"But on jobs this is the first stage of the review which covered management and administrative areas. We now move onto phase two."

The three stores that will be sold are the Army & Navy in Eastbourne, the House of Fraser in Sheffield and the Binns store in Scunthorpe.

Though buyers will be sought for the stores it is possible that they will be closed. This would lead to another 300 redundancies.

The break down of the provisions is £2.7m-£25m for stock write-offs, £1.2m-£15m for the job losses and a further £7m-£9m for asset write downs and related costs.

With the City forecasting

## House of Fraser warns more jobs are in danger

**Nigel Cope**

House of Fraser, the struggling department store group, is to sell three stores and cut 1,000 jobs in a radical overhaul that will result in the group taking a £50m charge against this year's accounts.

The provisions, which also include heavy stock write-offs, will push House of Fraser deep into the red this year.

John Coleman, who took over as chief executive last year, said there would be no more store sales but would not rule out any further job losses.

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House of Fraser shares, which were floated at 180p yesterday, closed unchanged at 142p yesterday.

## Prudential fined £75,000 for problems with PEP schemes

Imro, the investment regulator, has reprimanded and handed out a £75,000 fine to Prudential, the UK's largest insurance company, for breaching rules over the administration of some personal equity plans.

Prudential has also paid £25,000 in compensation to 6,000 disadvantaged customers, which amounts to less than £5 each. However, the final bill will rise as Imro's disciplinary tribunal has ordered Prudential to pay investigation and tribunal costs which have yet to be set.

The company is the first to be reprimanded and fined for problems with PEP schemes.

Imro said Prudential Personal Equity Plans had admitted

that it failed to carry out reconciliations and corrections of PEP client money accounts, failed to notify Imro that these had not been done and failed to have adequate compliance arrangements in place.

The problematic PEPs were self-select and single-company products. Prudential stopped marketing these products in 1993 after realising they were difficult to administer. Prudential continues to market a unit trust PEP.

A spokesman for Prudential said: "Imro's fine of £75,000 on Prudential Personal Equity Plans related to problems with reconciliation of PEP client money accounts prior to 1994.

Imro said Prudential Personal Equity Plans had admitted

"When they came to light, remedial action was taken and no customers were disadvantaged. Procedures were put in place to ensure these problems will not occur again. These problems were administrative, involving delays in crediting interest to customers' accounts."

The rules that were broken concerned provisions to ensure companies held the correct amount of money for clients and were aware of the individual sums of money held for each client at all times.

Prudential faced six charges, including the failure between July and November 1993 to make up a deficit in its self-select PEP client money accounts.

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held back by a negative rate of return of 0.2 per cent in the fourth quarter, compared with PDMF's growth of 2.7 per cent during the same period, taking PDMF's annual

rise

**Steel sell BSF to £74.5m strategy U-turn**

**Chris Godsmark**  
Editorial Correspondent

**COMMENT**

The reaction from the Stagecoach camp was one of pained innocence. Take advantage of the travelling public? Who us? Can this be the same company that was found to be acting in a manner that was "predatory, deplorable and against the public interest" when the MMC paid a visit to Darlington?

## ScotRail's fate could be in the hands of Labour

Brian Souter, the plain-speaking chairman of Stagecoach, attends monopolies inquiries like other company executives turn up for board meetings. In the rough, tough world of buses, where throttling the opposition and then cornering the market is the name of the game, brushes with the competition authorities are all part of a day's work.

Yesterday, however, Mr Souter, who has moved on from buses to trains, had a novel experience even for him. The Department of Trade and Industry has decided not to bother waiting and seeing if Mr Souter is awarded the franchise to run the trains in his native Scotland. Instead it has already decided that if he does bag ScotRail to go with the two franchises he owns south of the border, then Stagecoach will be packed off to the Monopolies and Mergers Commission.

Annoyingly, the reaction from the Stagecoach camp was one of pained innocence. Take advantage of the travelling public? Who us? Can this be the same company that was found to be acting in a manner that was "predatory, deplorable and against the public interest" when the MMC paid a visit to Darlington?

In the case of ScotRail, the Office of Fair Trading and the DTI are not being too specific about possible grounds for concern, referring only to "numerous and complex rail and bus overlaps". But since Stagecoach

is the dominant bus operator in Scotland once again, its arch rival FirstBus having just had a nasty run-in with the MMC, it is a fair bet there is plenty of scope to be worried.

If the ScotRail franchise were to go Stagecoach's way, Mr Souter would have his work cut out. Last year revenues of £86m were dwarfed by losses, (before subsidy) of £251m - a loss of £168,000 for every mile of track ScotRail operates over.

But the bigger political picture suggests it may not be Mr Souter's worry. The Government wants shot of all 25 passenger franchises come the election. A three-month MMC inquiry could leave the fate of ScotRail open to the whim of an incoming Labour administration. Since there are four other serious players bidding for the business, it would be simpler to leave it to one of them.

**Selling out could be the answer for ScotAm**

In just over a week, Scottish Amicable policyholders are to be told in more detail exactly why their society has decided to embark on the most complicated demutualisation that has been attempted to date.

The plan has been almost universally panned, not least because of the handsome rewards the management has set aside for itself. Let's hope that next week's circular provides better answers than we've had to

date, for though apathy and confusion will work in ScotAm's favour, there is at this stage a serious possibility of members giving their board the old two fingers.

Cutting through the noise and confusion, what this proposal seems to add up to is an attempt to persuade with-profits policyholders to put some of their money into a new, geared-up life insurance business. Should they really be asked to take this risk?

It works like this. The with-profits policyholders own the company, which cannot expand because it is short of capital. So it steps Swiss Re and its affiliate, Securities Capital, with an injection of capital. Since the new policyholders who are to be recruited will not be owners, the profits derived from them will belong largely to the old policyholders (with 20 per cent for Swiss Re and Securities.)

The faster the new business grows, the higher the rewards for existing policyholders when Scottish Amicable is floated. In other words, their 80 per cent stake in the business will not in future be diluted by the entry of new with-profits policyholders, thus gearing up the rewards on their equity. None of this disguises the fact that policyholders are being asked to take a punt on the management, whose track record to date has been an undistinguished one. The real question is why it requires demutualisation to achieve this.

It is, in fact, perfectly possible to gear up in this way inside a mutual society. Friends Provident and others are already

doing. The secret is to concentrate on developing other forms of life insurance business that are not with profits and which therefore dilute existing owners less.

The obvious answer to the question why - which Scottish Amicable answers in a deeply unsatisfactory way in confidential briefing notes seen by *The Independent* - is that the society is so short of capital that it cannot gear up its policyholders' investments at all without outside help.

Others insurers such as London Life and Scottish Equitable have solved the problem by selling out altogether, and maybe that is the answer for Scottish Amicable. The management at ScotAm claims that this proposal will ultimately yield more, and that they would be selling at the bottom of the market if they followed the Scottish Equitable route. All the same, ScotAm and its advisers are asking policyholders to take an awful lot on trust. Without much better answers and explanations, the inevitable conclusion is that this is a plan designed more to benefit management than policyholders.

**Ten years on, the yuppie is back**

Here's a rather telling fact about Britain, says John Major likes to describe his country, "the enterprise centre for Europe". The fastest-growing sector of the economy since the trough of the recession in early 1992 is showing any growth at all.

was domestic service. Much of the economy's growth during the past five years has stemmed from demand for maids and nannies, GDP figures published yesterday by the Office for National Statistics suggest.

The growth in domestic service, up by a third in nearly five years, was closely followed by industries that the Government would be happier to boast about - air transport, computer services, post and telecommunications, business and financial services. But the numbers make a point we all knew: our bones to be true.

This recovery is being driven by the spending power of the likes of Nicola Horlick and other well-paid types in the professions. The yuppie is back, 10 years older, still buying champagne and mobile phones, gambling other would-be buyers of houses in smart parts of London, but opting for a Renault Espace rather than a Porsche and no doubt pumping money into private school fees.

It still counts as an economic recovery - but is this the kind of recovery that will win the Government a general election? Mori has yet to conduct an opinion survey of the voting intentions of nannies and maids. The outcome might surprise us all but if domestic service is all that Britain's showpiece flexible labour market can produce in the way of jobs, it isn't going to impress anyone else very much. Curiously, the flip side of the nanny society - hairdressing, facials, beauty parlours and the like - doesn't seem to be

## US giant trumps FKI's bid for Newman Tonks

**Patrick Tooher**

Ingersoll-Rand, the US engineering giant, yesterday made a surprise entry into the battle for control of Newman Tonks by launching an agreed cash bid valuing the building products group at around £230m.

It is the second time in a week that a hostile bid in the normally sleepy engineering sector has taken an unexpected turn after William Cook, the steel castings group, unveiled plans to thwart a hostile bid by Triplex Lloyd and take the company private.

Ingersoll's 175p-a-share offer is being recommended by the Newman Tonks' board and trumps a hostile bid from FKI, a much smaller engineering group, that put a £195.7m price tag on Newman. Shares in Newman closed 39p higher at 180.5p.

Last night Ingersoll Rand sought to turn up the heat on FKI by going into the market and buying a 3.8 per cent stake in Newman at 179p. Newman's directors have also pledged their 0.9 per cent holding to Ingersoll.

FKI, which already speaks for

21 per cent of Newman Tonks, said it was considering its position. But analysts reckon FKI could easily afford to pay up to £2 a share to land Newman.

Ingersoll Rand is a hefty company to get into a head-to-head with," said Sandy Morris ABN Amro Hoare Govett. "But once you have set your stall out to bid for a public company you should not be deterred. Strategic reasons could make it a little more palatable for FKI."

Ingersoll-Rand's vice president Brian Jellison said the deal with Newman Tonks, its biggest in Britain, would shape the US group's European strategy and create an architectural hardware business with a full product range. He declined to say how big architectural products were within the Ingersoll Rand group, which last year posted sales of \$6.7bn (£4.13bn).

Newman also forecast profits before tax, exceptional items and bid costs of not less than £18m in 1996, over £2m above analysts' consensus forecasts. Mr Jellison said the forecast, leaked last week, was not a factor in launching the bid. "We thought we could ascertain the value of Newman Tonks' business without the profits forecast," he said.

Mr Jellison revealed that Ingersoll Rand had talked about business opportunities with Geoff Gahan, Newman's chief executive, in the past. "But the hostile bid accelerated our getting together," he added.

Ingersoll first contacted Newman Tonks shortly after FKI launched its pre-Christmas bid. Serious talks began earlier this month.

Ingersoll employs 2,600 staff in the UK while Newman has 4,000 employees. Cost-cutting was not a factor behind the bid, said Mr Jellison without giving any firm job guarantees.

The takeover saga got off to an unusual start when M&G, Newman Tonks' biggest shareholder with 11.2 per cent, irrevocably accepted FKI's bid on day one.

"Our acceptance still stands," said a spokeswoman. "But if Ingersoll Rand's bid is successful and FKI's bid lapses we would get the higher price."

### Property Trust (Pvt) Holdings Limited

Interim results for the 6 months ended 30th September 1996

The company has made substantial progress on all fronts over the past six months and I am pleased to report a near doubling of post tax profits for the half year to 30th September 1996 to £519,000 from £271,000 for the corresponding period last year.

We are now reaping the benefit of our acquisition programme of the past 18 months and this current year will reflect a full year's performance of the £10m, mainly retail, portfolio we purchased in Autumn 1995. Since the last year end we have further acquired a total of £6.5m of investment properties for a mixture of cash and shares.

The largest single purchase was of a 19,000 sq ft office building in Camberley, Surrey, let to Admiral PLC on a lease with 18 years unexpired. The investment, for which we paid £3.15m, produces current annual rent of £320,000.

In addition we acquired a small portfolio of three properties for £3m from Leicestershire County Council Pension Fund.

We have further reduced the void element of our investment portfolio, currently standing at less than 5% through a number of new tenancy agreements including the letting of approximately 8,000 sq ft of office accommodation in Central London to United Medical and Dental Schools of Guy's and St Thomas' Hospitals. This and other management initiatives have helped push our current annualised rental income to approximately £4m.

In November we announced the sale of our property in Tooting, South London for £1.4m cash, which was comfortably in excess of the book value. The sale was effected following a change of use and the granting of a revisionary lease to Regent Inn PLC.

I am also pleased to report that the infrastructure and foundation work is progressing on schedule on our joint venture development in Guangzhou, China of which we own one-third. The property market in Guangzhou recovered during 1996, as a result of a strong economy in Hong Kong, and we expect it to continue to improve during 1997.

We believe we have demonstrated that our policy of acquiring income producing property with scope for improvement is the right way forward for your company and we intend to build on the foundations that have been laid. I also believe that as market conditions improve we should enjoy substantial growth both in income and capital value.

In view of the costs of circulation, the Directors have decided that the interim results will be published in the Independent on 28th January 1997.

**Anthony Cheng**  
Chairman  
27th January 1997

**Consolidated Profit and Loss Account**

	6 months ended 30th September		Year ended 31st March
	1996 £'000	1995 £'000	1996 £'000
Turnover	1,870	1,137	2,811
Cost of sales	(192)	(142)	(258)
Gross Profit	1,678	995	2,553
Administrative expenses	(243)	(246)	(468)
Operating Profit	1,435	749	2,085
Interest receivable and similar income	14	33	47
Interest payable and similar charges	(930)	(511)	(1,404)
Profit on ordinary activities before taxation	519	271	728
Profit on ordinary activities after taxation	519	271	729
Earnings per share	1.2p	1.4p	2.1p
Fully diluted earnings per share	1.1p	0.6p	1.7p

Note: These results have been prepared in accordance with Financial Reporting Standard 3 (FRS3). The unaudited financial statements for the 6 months ended 30th September 1996 do not constitute statutory accounts. They have been drawn up using accounting policies and presentation conventions with those applied in the year ended 31st March 1995.

The statement of changes in equity for the 6 months ended 30th September 1996 comprises non-statutory accounts within the meaning of Section 240 of the Companies Act 1985 and is an extract from the latest published accounts of the group which have been delivered to the Register of Companies and contains an unqualified auditors' report.

The Directors do not recommend an interim dividend.



Upping their stakes (from left): Heal's finance director Paul Clarke; the chief executive Colin Pilgrim; and John Davis, merchandising and logistics director

## Tokyo's reforms blamed for slump

**Richard Lloyd Parry**

The Japanese government yesterday came under fire from one of the country's leading industrialists over the recent collapse in share prices on the Tokyo stock market.

Tsizo Nishimura, president of Toshiba Corporation, said the slump in share prices was due to disappointment at the slow pace of deregulation in Japan, and scepticism about the commitment of the Prime Minister, Ryutaro Hashimoto, to genuine reform. "They move too slow. Hashimoto is not acting on what he is talking about. That is the dilemma the government is facing. The stock market is an expression of disappointment," he said.

Shares on the Tokyo Stock Exchange fell yesterday for the sixth time in seven days, with the Nikkei 225 stock index sinking 354 points to 17,334.90, a drop of 2 per cent. The Topix Index was also down 2 per cent, having gone down nearly 10 per cent since the new year, and 17 per cent in the past six months.

Mr Nishimura's remarks express a widespread fear among Japanese businessmen that the so-called "Big Bang", a programme of deregulation among banks, insurers and brokerage houses announced by Mr Hashimoto in November, will not materialise quickly enough to boost Japan's flagging economy.

Formidable vested interests - from politicians, as well as business - closely tied to protected industries - stand in the way of Mr Hashimoto's reforms and many observers in Tokyo are sceptical that they can be meaningfully implemented by the summer. There is also unease about the draft budget for 1997, which includes tax rises, but no spending cuts.

At the same time, the fear of hasty reform is also causing alarm, because of the uncertain state of Japan's banks, which are still saddled with debts resulting from the collapse of land prices in the early 1990s.

Hamish McRae, page 20

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• 33.6 Modem	• 32Mb RAM	• 3.5"

## business

# Thorn blow to shareholders over dividend

**Tom Stevenson**  
City Editor

Shareholder confidence in Thorn was dealt another blow yesterday after the Radio Rentals group that was recently demerged from the more glamourous EMI music publisher withdrew the option for its shareholders to take next month's interim dividend in the form of shares rather than cash.

Thorn's shares, which crashed 42.5p to 209p after a profits warning last week, have drifted since to yesterday's close of 201p. With the price on the slide, shareholders have little incentive to take their dividend payout in the form of shares, as the number they would receive was determined on the basis of a much higher price.

The Thorn scrip alternative to the interim payout for the six months to September was calculated on the basis of a share price of 276.6p, well above the prevailing price. A scrip is only attractive when a rising share price effectively increases the value of the payout.

The withdrawal of the scrip is the latest blow for shareholders in Thorn, who have watched the value of their investment in the consumer goods rentals group slide ever since the demerger of Thorn EMI last summer. Contrary to expectations that the split would enhance shareholder value, shares in both EMI and Thorn, under the chairman Sir Colin Southgate, have fallen.

Since last August, Thorn's value has slumped from £1.77bn to under £900m. EMI's shares have also tumbled from 1,450p to only 1,261p at last night's close. The fall has caused dismay among investors who had expected the split to unlock hidden value in the way that similar demergers did at companies such as ICI, which spun off



Sir Colin Southgate: Thorn's value has fallen from £1.77bn to under £900m since its demerger last August

Zeneca, and Courtaulds, which separated from its textiles subsidiary.

In the run-up to the demerger the value of Thorn EMI was bid up on the stock market as investors gambled on a bid for EMI from a cash-rich American entertainment group which has failed to materialise.

Thorn said last week that it would not make more in the year to March than the £170.7m it achieved a year earlier. The company blamed weak pre-

Christmas trading, the full effect of which would not be felt until the final quarter of the year, and the impact of sterling's recent strength on its overseas earnings.

Thorn generates about 60 per cent of its turnover in the US so it is vulnerable to fluctuations in the dollar/pound exchange rate. It has also been hit in the US by intense competition from electrical retailers who have turned consumer electronics such as televisions and videos into commodity products.

## Xenova's US deal heads new biotech boom

**Magnus Grimond**

Xenova, a biotechnology group which joined the stock market at 215p a share last month, saw the price jump another 25p to 295p yesterday after unveiling a tie-up with Bristol-Myers Squibb, the US pharmaceuticals giant. The deal came as two other biotech hopefuls, Cambridge Antibody Technology and the Bioscience Innovation Centre, confirmed their intention to float on the main market.

With another, BioFocus, waiting in the wings to launch on Ofer, the growing queue of fledgling companies ready to come to market suggests the sector has overcome last year's problems, when several companies either pulled or delayed their floats.

Xenova said the deal with Bristol-Myers involved screening its "library" of more than 25,000 microbes and 6,000 plant extracts against disease processes thrown up by the US group's genetic research. The aim will be to isolate a molecule or molecules which can inhibit the target process, thereby checking the disease.

Xenova will also supply its expertise in so-called "informatics", which involves using a database to identify the chemical which results from the screening process or determine whether it is a new one in order to aid its reproduction in the laboratory.

As well as providing the drug target technology, Bristol-

Myers will undertake the development and marketing of any product which emerges from the collaboration. Xenova will do the screening, identify any chemicals which result and supply the chemical to Bristol-Myers, which will cover research costs and make undisclosed milestone and royalty payments.

Xenova's technology is based on the discovery of drugs derived from naturally occurring micro-organisms, such as those found in fungi and bacteria, and from plants and plant extracts.

Its most advanced drug candidate under development is an anti-cancer treatment which is still three years away from the market. But Louis Nisbet, chief executive, pointed out that Taxol, one of Bristol-Myers' main anti-cancer drugs, was originally derived from a plant.

Separately, Cambridge Antibody Technology (CAT) said it planned to seek a full listing in March at a price which analysts expect will value the company at between £85m and £95m. It is thought to be looking to raise £30m in an institutional placing, having pulled in £16.6m from investors since the company was founded in 1990.

The Bioscience Innovation Centre, which is raising £6m in its placing and offer, is also based in Cambridge. It aims to offer start-up biotech groups the infrastructure to run their business, including providing laboratories and management skills.

## Rolls wins £294m Emirates deal

**Chris Godsmark**  
Business Correspondent

Rolls-Royce's aerospace division was given a significant boost yesterday with the announcement of a \$500m (£294m) order for its Trent range of jet engines to power a fleet of Airbus A330-200 airliners for Emirates, the international airline of the United Arab Emirates.

The order comes on top of Emirates' existing deal with Rolls to supply 28 Trent 800 engines for 14 Boeing 777s. It means that by 1999, when the first A330s go into service, Emirates will operate with only Rolls-Royce engines, a highly

unusual development in an industry which traditionally prefers to play one jet manufacturer off against another.

The deal, won in competition with General Electric and Pratt & Whitney of the United States, brings Rolls-Royce's total order over the past year to more than £7bn. It also raises the order book for the Trent to 223 aircraft and a total of 446 engines and is likely to secure jobs for workers at the group's main Derby assembly operations, which employ 13,000 people and have been heavily hit by restructuring of the aerospace industry over the past five years.

Emirates ordered the fleet of

16 long-range Airbus A330-200s last year to replace its current A300-600s and A310s, with an option to buy a further seven aircraft later. Each of the A330s, which will seat up to 272 passengers, will be powered by two Trent 700 engines, with work due to start in Derby in early 1998. Deliveries will then continue at the rate of four planes a year until 2002.

Sheikh Ahmed bin Saeed al-Maktoum, chairman of Emirates, said: "We chose Rolls-Royce Trent engines because our study shows them to be the most effective and efficient engine for the A330-200 for our present and future network."

Analysts said the latest order put Rolls-Royce on an equal footing with its two US rivals in the race to supply the Airbus A330 and Boeing 777. Though Rolls has found it harder to secure orders with US carriers, it has done increasingly well with Far Eastern airlines. Profits for 1996 are forecast at around £235m, rising to £300m in 1997.

"This is a big order in the civil field by any standards. It's unusual for a carrier to end up with engines supplied by one company, and even more unusual for that company to be Rolls-Royce," one analyst said.

Rolls-Royce shares were unchanged at 244p.

## Glaxo unveils new anti-AIDS initiative

**Magnus Grimond**

Glaxo Wellcome, the drugs group which dominates the anti-AIDS market, yesterday unveiled an initiative which will attempt to overcome the problems of resistance to existing treatments. The group is launching a collaboration with Affymetrix, now an associate company as a result of Glaxo's takeover of the Affymetrix US drug discovery group in 1995, to determine whether advances in genetic research can be used to better understand the progress of HIV and AIDS.

The Bioscience Innovation Centre, which is raising £6m in its placing and offer, is also based in Cambridge. It aims to offer start-up biotech groups the infrastructure to run their business, including providing laboratories and management skills.

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The efficacy of current treatments using "cocktails" which include Glaxo's Retrovir and Epivir drugs was confirmed at a conference in Washington over the weekend, but the ten-

## New York state sues tobacco companies

**David Usborne**  
New York

Shares in BAT fell 11.5p to 484p after New York yesterday joined the rush by individual American states to launch high-profile lawsuits against the tobacco industry for allegedly covering up the addictive and medically hazardous nature of cigarettes.

After hesitating on the issue for months, New York Attorney General Dennis Vacco filed suit in the Manhattan State Supreme Court against six tobacco firms, including Brown & Williamson, which is owned by BAT Industries, Philip Morris, RJR Nabisco Holdings and the Liggett Group.

New York is the 20th US state, but also one of the biggest to climb on board the lawsuits

bandwagon. Each lawsuit accuses the tobacco companies of lying about the health risks of smoking and seeks to recoup public money spent on treating tobacco-related diseases.

Mr Vacco was reported to have made an attempt to negotiate an out-of-court settlement with the companies. While a figure of \$395m was apparently floated, no agreement was reached.

A similar, though much more advanced, case involving Florida meanwhile took an unexpected turn after Philip Morris submitted records purportedly showing that in the 1970s the state manufactured its own, high-nicotine and filterless cigarettes within its prison system and distributed them free to inmates.

## IN BRIEF

• Housing sales in the US fell by 3.5 per cent in December, a bigger-than-expected drop. This was due partly to severe weather, according to the National Association of Realtors. Analysts said the figure would not influence the Federal Reserve's thinking about interest rates. Far more important will be the index of labour costs in the final quarter of 1996, due to be published today. Fed chairman Alan Greenspan flagged a warning about rising pay in testimony to Congress a week ago.

• Williams Holdings has acquired the Fynetics group of companies for \$22.8m (£14m) from Management Investment and Technology, a group quoted on the Hong Kong stock exchange. In addition to the consideration, Williams said it has assumed bank debt of \$2m. On a proforma basis for the year ended December, Fynetics, which markets and distributes smoke and carbon monoxide detectors in North America under the Lifesaver and Fire Sentry brands, had sales of \$28.1m, producing operating profits of \$3.1m. Net assets after borrowings were \$7.8m.

• Robert H Lowe is expanding both its replica kit and packaging divisions with three acquisitions totalling £13.8m. The largest is Westfield Medical, the UK's largest privately owned producer of sterilised packaging. The deals will be funded by a placing and open offer to raise £7m before expenses.

• Volvo's chief executive officer Soeren Gyll will resign from his position at the company's annual general meeting on 23 April and will be succeeded by Leif Johansson, presently Electrolux's chief executive officer. Mr Gyll said the policy of reorientating Volvo to focus solely on transport equipment has been largely completed. He added that at the age of 58 he thought it the right time to "pass on the baton". Electrolux has appointed Atlas Copco's Michael Treschow to replace Mr Johansson at Electrolux. In turn, Atlas Copco has named Giulio Mazzalupi to replace Mr Treschow. Mr Mazzalupi has been with Atlas Copco since 1971.

• Shares in Norbain, the designer, maker and distributor of closed circuit TV and other security devices, plunged 106.5p to 332.5p after the company said that Dedicated Micros, one of its leading suppliers, had terminated an agreement to supply equipment.

## Company Results

	Turnover £	Pre-tax £	EPS	Dividend
Cavendish & Gray (I)	66.3m (25.5m)	1.02m (-1.13m)	1p (-6.5p)	1p (-)
Filomatic Comex (I)	17.1m (15.2m)	0.02m (2.01m)	n/a (3.25p)	0.25p (0.75p)
Fyffes (F)	1k.42m (1.985m)	10.3m (n/a)	46.8p (7.91p)	1.85p (-)
London Scottish Bl. (F)	(-)	9.4m (8.04m)	5.7p (4.8p)	2.95p (2.5p)
Prima People (P)	3.56m (2.02m)	0.13m (-0.58m)	0.35p (-1.35p)	(-)
Property Trust (I)	1.87m (1.34m)	0.52m (0.27m)	1.2p (1.4p)	n/a (-)
Wylex Group (I)	54.5m (41.8m)	3.63m (2.03m)	4.44p (2.62p)	1.4p (10p)

(F) - First (I) - Interim (N) - Nine months

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**Strong pound hits Haynes**

Data Bank	
FTSE 100	4212.0 -6.8
FTSE 250	4593.1 -4.9
FTSE 350	2090.3 -3.1
SEAO VOLUME	696.6m shares, 44,418 bargains
Gilt Index	94.53 +0.71
<b>Share spotlight</b>	
460	Sale Dation
440	
420	
400	
380	
360	Rentokil
340	
320	JFMAMJJASONDJ

## Food retailers lose weight over fears of a price war

The threat of a supermarket price war had the predictable cut-price impact on shares of food retailers as the stock market decided they should give up more of their recent strength.

There is considerable debate about whether an old-fashioned, no-holds-barred confrontation will actually emerge. Most observers think such a development unlikely.

But J Sainsbury was the target for the feared wave of price cuts. Its dismal trading performance has to be arrested and although it is not a natural price cutter its desperation to capture its top position could provoke it into adopting a much meaner pricing policy.

Such thoughts left food retailers in need of sustenance.

Sainsbury fell 9p to 332p in busy trading; the shares were at one time down 11.5p. Safeway lost 13.5p to 376p and Tesco 5p to 355p.

Budgens retreated 1p to 43.75p and WM Morrison slipped 1.5p to 151.5p. Asda, the day's busiest traded share, dropped 1.25p to 120.25p and Kwik Save suffered a 6.5p decline to 300p.

The rest of the market appeared to recover from its panicky retreat on Friday and Footsie ended an insignificant 6.8 points lower at 4,312. The supporting FTSE 250 index lost 4.6 to 4,593.1.

Drugs remained one of the healthier sectors. What could be regarded as unrealistic takeover rumours continued to circulate with SmithKline Beecham again leading the charge with an 11.5p gain to 574p.

Roche, the Swiss group, is never far from the takeover rumour mill and remains a candidate to link with SmithKline, albeit through an agreed deal rather than a hostile bid. Schering-Plough, a US group,

has also been drawn into the speculation. Zeneca remains in the frame, edging forward 8.5p to 1,693.5p.

Glaxo Wellcome added 8.5p to 957.5p on Aids drugs development hopes and Xenova, forging a research link with US giant Bristol-Myers Squibb, jumped 25p to 295p. The shares have had an eventful ride since arriving last month at 215p and falling to 193.5p before rallying.

Rentokil initial was the best-performing blue chip, improving 10p to 452.5p, a peak. Others in form included Imperial Chemical Industries, Orange and, once again, Hanson.

### MARKET REPORT

#### DEREK PAIN

stock market reporter of the year

Lewis vehicle has jumped 13.4p since it was disclosed it had an option on his 25.1 per cent stake in Glasgow Rangers.

Lancet Trust was another in demand. The high flyer, which edged 16.25p last month, rallied 16.25p to 1,737.5p as rumours continued to buzz that Andrew Regan, the young entrepreneur in command, has a number of intriguing deals up his corporate sleeve.

Newman Tonks jumped 29p to 280.5p as Ingersoll-Rand, the US group, produced a near 180p cash offer, topping the shot from the FKI engineering group.

Noridian, a closed circuit television group, provided the day's profits shock, crashing 106.5p to 332.5p.

English National Investment Co continued its remarkable progress, gaining 26.5p to 257.5p. The Joseph

Chelsea Village, the football club, gained 4.5p to 123p. It followed up its first exploit by placing a further batch of shares. Through its stockbroker Ellis & Partners 1 million were sold at 120p. As in the past the Ellis fee was met by the issue of shares – this time 25,000.

The club has also agreed to issue 126,532 shares to captain Dennis Wise at 11.85p and another 500,000 are earmarked for Graham Bell, who has helped develop the club's youth team. It is taking up £50,000 of the 106.5p.

Takeover hopes returned to lift SR Gemi, the clothing supplier to Marks & Spencer, 6p to 25.00.

Two bidders are said to be in the wings – one of them an Indonesian company.

Another where takeover hopes hover, United Energy, rose 2.5p to 24p. There is talk of bids and a tender offer.

Rowlinson Securities, a low-profile but successful building and property group, is rumoured to be in a predator's sights. The shares, a narrow market, rose 30p to 123p in the spring. Based at Stockport the company is run by the Rowlinson family; any takeover would need the family's say-so.

Aminex, with oil interests in the former Soviet Union, was little changed at 65p. Deutsche Morgan Grenfell has placed, through Henderson Crosthwaite, its 6 per cent shareholding.

Intriguing goings-on at National Home Loans Holdings. The shares rose 2p to a closing peak of 145.5p. But in late trading a flurry of delayed deals went through at 148p. Volume was strong; 2.4 million shares.

### Market report / shares

Taking Stock

Share Price Data											
Prices are in sterling except where stated. The yield is last year's dividend, grossed up by 20 per cent, as a percentage of the share price. The price/earnings (P/E) ratio is the share price divided by last year's earnings per share, excluding exceptional items.											
Other details: Ex rights date, ex-dividend date, all or part suspended, suspended, or part suspended until a date.											
Source: FT Information											
<b>The Independent Index</b>											
The index allows you to access real-time share prices by phone from London Stock Exchange. Simply dial 0891 123 333, and when prompted to do so, enter the 4-digit code printed next to each share. To access the latest financial reports dial 0891 1233 followed by one of the two-digit codes below.											
FTSE 100 Real-time											
High	Low	Stock	Price	Cdg	Vid	Prec	Yield	Stock	Price		
126.532	126.532	SR Gemi	123	1.85	120	120	11.85	SR Gemi	123		
UK Company News											
High	Low	Stock	Price	Cdg	Vid	Prec	Yield	Stock	Price		
122.500	122.500	Deutsche M	122.5	1.00	120	120	10.00	Deutsche M	122.5		
Wall St Report											
High	Low	Stock	Price	Cdg	Vid	Prec	Yield	Stock	Price		
120.000	120.000	Prudential	120	1.00	118	118	9.17	Prudential	120		
Tokyo Market											
High	Low	Stock	Price	Cdg	Vid	Prec	Yield	Stock	Price		
121.000	121.000	Sumitomo	121	1.00	119	119	8.33	Sumitomo	121		
Foreign Exchange											
High	Low	Stock	Price	Cdg	Vid	Prec	Yield	Stock	Price		
121.000	121.000	Bank of America	121	1.00	119	119	8.33	Bank of America	121		
For assistance, call our helpline 071 873 4378 (900am - 5pm)											
<b>Market leaders: Top 20 volumes</b>											
Stock	Market	Stock	Vol/000	Stock	Vol/000	Stock	Vol/000	Stock	Vol/000		
ASDA Group	210000	FTR	340000	Royal & Sun Allian	520000	Stobart	70000	Royal & Sun Allian	520000		
Hanson	220000	Beth Gas	220000	Ledcor	550000	Academy Sh	400000	Academy Sh	400000		
Subury	320000	Locality	320000	General Elect	600000	Marks & Spence	470000	Marks & Spence	470000		
Turner	150000	Burns	150000	Kingspan	580000	Prudential	400000	Prudential	400000		
BT	750000	Selway	750000	Gas & L	580000	Gold Mat	450000	Gold Mat	450000		
<b>FTSE 100 Index hour by hour</b>											
Open	42070	down	11.5	11.00	4213.9	down	4.8	15.00	4216.4	down	2.4
Open	42070	down	3.5	12.00	4223.9	up	5.1	14.00	4223.0	down	6.5
Open	42070	down	4.5	13.00	4219.7	down	4.5	13.00	4219.7	down	6.8
<b>Stock</b>											
<b>Oil &amp; Exploration</b>											
Stock	Market	Stock	Price	Cdg	Vid	Prec	Yield	Stock	Price		
BP	210000	BP	120	1.00	118	118	10.00	BP	120		
BP	210000	BP	120	1.00	118	118	10.00	BP	120		
<b>Oil, Integrated</b>											
Stock	Market	Stock	Price	Cdg	Vid	Prec	Yield	Stock	Price		
BP	210000	BP	120	1.00	118	118	10.00	BP	120		
<b>Other Financial</b>											
Stock	Market	Stock	Price	Cdg	Vid	Prec	Yield	Stock	Price		
ABN Amro	100000	ABN Amro	100	1.00	98	98	9.80	ABN Amro	100		
Barclays	100000	Barclays	100	1.00	98	98	9.80	Barclays	100		
<b>Retailers, Food</b>											
Stock	Market	Stock	Price	Cdg	Vid	Prec	Yield	Stock	Price		
Asda	21000										

# business

## Japanese turn envious eyes on the UK's Big Bang reforms

**I**t is not every day that a top industrialist blames government indecision for the collapse of the stock market, so the comments by Taizo Nishimura, president of Toshiba, (see page 17) deserve to be taken seriously in Japan itself. But they deserve to be taken seriously elsewhere in the world too, for they make the universal point that one of the key aims of structural reform, maybe the key aim, is to clear the way for faster economic growth.

It is interesting to note, too, that structural reform in the case of Japan (and for that matter Germany) is basically a shift in the tax and financial systems towards the Anglo-American models. Note that in Germany this week, the big issue is the government's plan for a cut in income tax to be financed (almost certainly) by a rise in VAT, bringing both the top rate of income tax and VAT rates virtually to UK levels.

In Germany the tax plan has run into opposition, but it is in Japan - witness Mr Nishimura's outburst - that the tardy approach to reform is having its most serious economic impact. The Japanese government's reform platform had many planks, but the one of most immediate importance to the stock market was its plans for a Big Bang.

The provisional translation of the government paper outlining the plan is striking for its references to New York and London. For example, it starts "Goal - An international market comparable to the NY and London markets by the year 2001", and argues that the Japanese financial market "needs to play its true role of optimal resource distribution, as the markets in NY and London do..." to use Japanese savings fully.

The plans for reform, which on paper seem very similar to those which London brought into practice with Big Bang in October 1986, has also to take into account the pile of bad debts accumulated by the

Japanese banking system. There is a lot of stress about the need for transparency in financial accounts. Indeed the market can carry out its "optimal resource distribution" if it has correct accounts on which to work. But publishing accurate accounts means revealing the true weakness of the balance sheets of the Japanese banks, which have been made much worse by the collapse of share prices.

So there is a catch-22. Reform is stymied because it requires disclosure of hitherto concealed losses, which are in part the result of weak securities prices (they are also the result of weak land prices). But reform is necessary to restore confidence in the market, and until that happens prices are unlikely toudge back up, and so help restore the bank balance sheets.

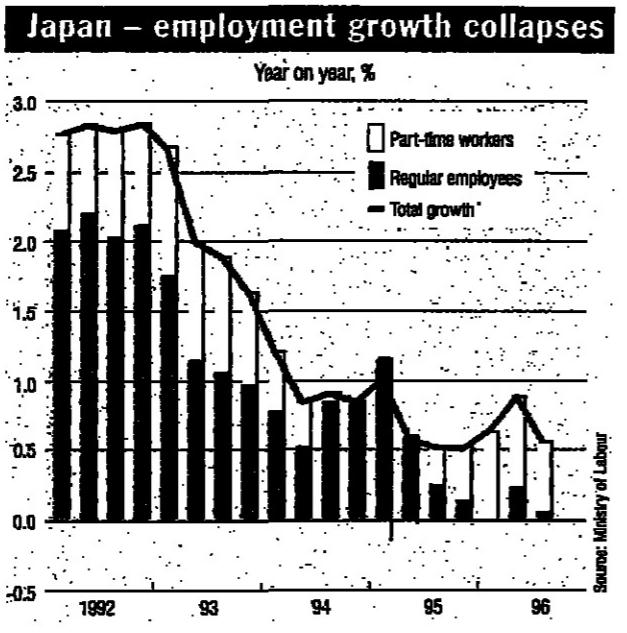
There is a further twist to this. Until bank balance sheets are restored the banks are unwilling to lend to new customers, particularly small and expanding businesses. But these businesses are the only ones which are likely to pull the economy out of stagnation.

We think of Japanese industry as very efficient and in terms of labour productivity it is. But in its use of capital, Japanese industry is very inefficient



Hamish McRae

Source: Smithers and Company



But until the economy is on a clear growth path the pile of bad debts cannot be cleared. So it is not just the financial economy which is gummed up by the failure to reform; the real economy is too.

You can see one effect of economic stagnation in the labour market. As the graph on the left shows, job creation in Japan was very low last year. In the first nine months of the year employment rose by 0.8 per cent, but 75 per cent of all new employment came from employees. While this may represent a shift to a more flexible labour market, in the short term it means that consumers do not have much incentive to boost their spending.

So consumption will not stimulate recovery. Exports will help but the export sector in Japan is quite small relative to the whole economy. (UK exports of goods and services per head of population are more than double those of Japan.) So the export sector is simply not big enough to pull the economy out of recession.

So what will pull up the economy? Here we come back to structural reform. If the

market can signal more clearly where savings should receive the greatest return, this will propel the economy to more efficient use of capital. We think of Japanese industry as very efficient and in terms of labour productivity its factories are. But in its use of capital, Japanese industry is very inefficient.

The London-based investment boutique, Smithers & Co, recently published a bearish assessment of the Japanese stock market. One of the reasons for its bearishness was this. As you can see on the chart, Japanese firms are almost as productive as those in the US when it comes to using plant and buildings. But they are very unproductive in their use of land and their levels of inventories.

The reason for this is partly the high cost of land, but it is also a function of the land speculation by Japanese business, itself a function of overcheap capital. Inventories are also much higher than in the US, again probably a function of overly-cheap finance. So you see, the cheap finance provided by the banks to industry, much touted by people critical of the Anglo-American stock market-driven financial system, has had the effect of encouraging inefficient use of that finance. Surprise, surprise: if you subsidise something - in this case industrial capital - it will be used inefficiently.

So what is to be done? Some economists in Japan have been arguing that the only way forward is to press on with structural reform, in particular a shift away from manufacturing to service industry, even if in the short term that led to further job losses. Now the head of one of Japan's largest manufacturing companies is arguing for structural reforms too. This is big news for the rest of the world. Anyone accustomed to looking enviously at the Japanese economic system should be aware now enviously the Japanese leadership is looking at the reforms that have taken place in the UK.

There's nothing quite like red faces in Whitehall to cheer you up. You will no doubt recall that Ken Clarke and his merry Treasury men established a target of 2.5 per cent for inflation by the end of 1997. In his November Budget our Ken said he would meet that target. Ken also forecast GDP would grow by 3.5 per cent. Not according to his own department, however.

HM Treasury's *Forecasts for the UK Economy: a Comparison of Independent Forecasts* published this month tells a different story. On the third page is a summary of inflation forecasts for 1997, and under the column for RPI excluding mortgage interest payments (Q4) comes the puzzling entry: "HM Treasury - 3.0 per cent."

Three per cent? Has the Chancellor been misleading the House of Commons and the nation at large? And the figure for GDP growth in 1997 is 2.5 per cent, not 3.5 per cent. Is Ken expecting a collapse in growth as well as spiralling inflation?

No such luck. It's just an old-fashioned cock-up by the people who compiled the report. All the independent forecasts for 1997 have been correctly updated, but all the Treasury's figures have been carried over from 1996.

A Treasury spokesman says: "The Treasury holds its hands up. It's Groundhog Day. It's a spreadsheet thing - the figures for 1996 have been repeated for 1997. We'll change it for next month's report."

Her Majesty's Treasury - where time literally stands still.

He's something slightly less cheerful. The Rev Dr Leslie Griffiths will give a speech in London this Thursday with the blood-curdling title "Within the City of London are the seeds of its own destruction".

The host is the Securities Institute at the City of London Club. Do they know something we don't?

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which explains the odd missive. It's an invitation to Bradford & Bingley's press party on 11 February, or Pancake Tuesday.

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As for the pancake mix, I asked a society spokesman what I could do with it. "Do what you like with it," he said. "You can batter someone over the head with it if you like." Very mutual.

Fancy competing in a quiz with Dickie Davies and the Lord Mayor of London, Alderman Roger Cork? St John Ambulance is looking for businesses to take part in the charity's annual quiz, the Brain Game, on 20 February.

A reservation for a team of 10 costs £2,000, but the fee includes champagne, supper and wine. The winners of the 1996 trophy, the modestly titled "Knowledgeable People, Mostly Geeks", also known as KPMG, will be present to be knocked off their perch.

The aim is to raise £50,000 for St John Ambulance. Any-one interested should ring Melissa Bullock at St John Ambulance on 0171-235 5231.

John Willcock

John McLaren, director of Deutsche Morgan Grenfell and a venture capital specialist, has found time between deals to write a novel.

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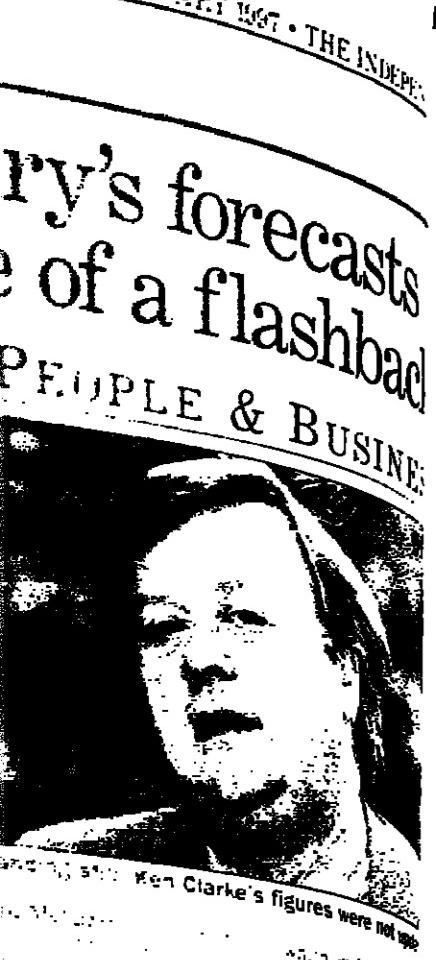
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# Pitman to strike out from the motherland

## Racing

GREG WOOD

There are some stewards and clerks of the course who will feel that one Pitman with a trainer's licence is as many as they wish to deal with, but the total will soon double following the announcement yesterday that Mark Pitman, who has been asistant to his mother, Jenny, for the last four years, is to strike out on his own. The former jockey, who rode Garrison Savannah to victory for the stable in the 1991 Gold Cup, will begin his new career as soon as he has found a suitable base.

This equally amicable partition of the generations came as a surprise to many, who had assumed that Mark Pitman would inherit the licence at Weathercock House on Jenny's retirement. Yet as the present incumbent pointed out, "nobody should ever make any assumptions about anything in this life", which is a useful rule for anyone in the business of horses or betting.

As her son confirmed, "my mother certainly has no intention of retiring yet, and after a meeting at the weekend it was

decided that it was best for me to go out on my own."

Mark Pitman's departure will end a long professional association with the Lambourn yard, one of the most consistently successful in the country. "We wish him all the best," his mother said. "Naturally, like any mother, I hope he is a success, and his time here will stand him in good stead for the future."

**RICHARD EDMONDSON**  
NAP: Trump  
(Musselburgh 3.50)  
NB: Baileeth  
(Lingfield 3.00)

"Last year much to my delight, my sister Mandy Bowby took out a licence to train, and I'm very proud that Mark has now done the same. If either or both beat me in the Gold Cup or Grand National, I will be the first to give them big hug. I don't know at the moment when I will retire. I'm getting married later this year and a lot of things are changing in my life."

Rather like one of her own steeplechase returns, which return year after year for a fresh campaign, Jenny Pitman has been

a major force in National Hunt racing for so long that it seems a little strange to find that she is just 50 years of age. It therefore seems likely that the possibility of early retirement existed only in the daydreams of racecourse officials who have felt the rough edge of her famously prickly personality.

Mark Pitman, meanwhile, at the age of 30, could hardly have a better foundation for his solo career, since his time at Weathercock House, in addition to periods with Martin Pipe and David Nicholson, allows him to draw on experience with the three most successful trainers of the last decade. The strength of the Pitman dynasty, you feel, will be doubled, not halved, by his departure.

Another assumption which appeared wide of the mark yesterday was that Dorans Pride, probably the best staying chaser in Ireland, will represent one of the best chances of Irish success at the Cheltenham Festival. Though Michael Hourigan's chaser is as short as four for the Gold Cup, the trainer appears extremely reluctant to subject Dorans Pride to such stiff opposition, no matter how well he performs in a novice

chase at Leopardstown on Sunday.

"We'll have to wait and see how we get on there," Hourigan said yesterday, "but I don't think he's mature enough and it will depend on ourselves more than the horse. It's a big decision and I don't want to mess him up. You wouldn't put in a novice against Steffl Craf at ten, and it's the same story."

Indeed, Hourigan is inclined to bypass the Festival altogether, even though Dorans Pride might well start favourite if he lined up for the Sun Alliance Chase. "I would imagine he'll stay novice chasing in Ireland," the trainer said. "There's plenty of good prize-money to be picked up between Fairyhouse and Punchestown. He nearly died last year with two bouts of colic, so we're lucky enough just to have him without pushing him too. There'll be next year, too."

Since Dorans Pride is a former winner of the Stayers' Hurdle, Hourigan can at least be sure that his horse would both act around Cheltenham and get the Gold Cup trip. No such luck for Gordon Richards, trainer of One Man, who is still puzzling over the grey's run at

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**GOLD CUP AND CHAMPION**

**CHASE** remains a difficult one.

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and there will be another race,

too. "He will go to the Comet

Chase at Ascot on Wednesday

week. He might as well go for a £60,000 race as have a gallop at home."

Walter Swinburn is to appear before magistrates next month after being charged with assault. The three-times Derby-winning jockey, 33, is also facing a criminal

charge following an incident at a restaurant in Newmarket on Friday. Swinburn, who earlier this month completed a 200-mile charity walk through Ireland, has been released on bail pending his court appearance on 27 February.

**RACINGS FUTURES MARKET**

Bookmakers' ante-post lists are racing's futures market. Readers can catch up with the latest developments – best prices are in bold – in this sphere with *The Independent's* Tuesday service.

**TOTe**: Good Trophy Handicap Hurdle: Minstingtett is a top-

rated 13-1 with the Tot –

William Hill and Ladbrokes

go 5-1, while Direct Route is

10-1 (Tot) – Ladbrokes go

6-1. Tulyfurry, Toft

10-1 (Tot), 7-1 (Tulymurphy, Toft

10-1 (Tot), 9-1 (Freddie

Muck, 10-1 (Tot). 10-1

Lochnagran (10st), 11-1 Out-

set (10st), 11-1 Tars Bridge

(9st1lb), 12-1 Arithmetic

(9st1lb), House Captain

(9st1lb), Runaway Pete (10st),

Sohrab (11st2lb), 12-1 Anzum

(10st13lb), Burn Imp (10st7lb),

Fired Earth (10st6lb), 16-1 An-

gel's Double (10st7lb), Lans-

downe (10st), 20-1 Putty Road

(12st), Tim (9st5lb), 25-1 Ex-

press Gift (10st12lb), Mr Ker-

ry (10st11lb), Top Spin

(10st10lb), 33-1 Lucky Blue

(10st4lb), 30-1 Dark Honey

(8st13lb), Ismeno (8st9lb),

Ladbrokes bet on Sunday's

Hennessy Cognac Gold Cup

Chase over 3m at Leopard-

stone: 6-4 Imperial Call, 7-1 Jo-

danoli, The Grey Monk, 7-1

Merry Gale, 10-1 Belmont

King, Danoli, 33-1 Idiots Ven-

ture, King Of The Gales.

Ian Davies

Cheltenham three days ago. That outing, you may recall, was supposed to decide once and for all what One Man will be doing in Festival week, but horses rarely provide a straight answer to a straight question and the choice between the

Gold Cup and Champion

Chase remains a difficult one.

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**Flights of fancy: The favourite, Minster's Madam, in the air in yesterday's seller at Plumpton**

Photograph: Peter Jay

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10-1 (Tot) – Ladbrokes go

6-1. Tulyfurry, Toft

10-1 (Tot), 7-1 (Tulymurphy, Toft

10-1 (Tot), 9-1 (Freddie

Muck, 10-1 (Tot). 10-1

Lochnagran (10st), 11-1 Out-

set (10st), 11-1 Tars Bridge

(9st1lb), 12-1 Arithmetic

(9st1lb), House Captain

(9st1lb), Runaway Pete (10st),

Sohrab (11st2lb), 12-1 Anzum

(10st13lb), Burn Imp (10st7lb),

Fired Earth (10st6lb), 16-1 An-

gel's Double (10st7lb), Lans-

downe (10st), 20-1 Putty Road

(12st), Tim (9st5lb), 25-1 Ex-

press Gift (10st12lb), Mr Ker-

ry (10st11lb), Top Spin

(10st10lb), 33-1 Lucky Blue

(10st4lb), 30-1 Dark Honey

(8st13lb), Ismeno (8st9lb),

Ladbrokes bet on Sunday's

Hennessy Cognac Gold Cup

Chase over 3m at Leopard-

stone: 6-4 Imperial Call, 7-1 Jo-

danoli, The Grey Monk, 7-1

Merry Gale, 10-1 Belmont

King, Danoli, 33-1 Idiots Ven-

ture, King Of The Gales.

Ian Davies

**TOE Gold Trophy Handicap Hurdle (2m 110yds)**

Home (Trainer/weight) Coral William Hill Ladbrokes Total

Mistington (O-Tantes) 10-2 5-1 5-1 32-2

Big Ben (P. Doherty) 10-2 5-1 5-1 32-2

St. Leger (R. P. Murphy) 10-2 5-1 5-1 32-2

Conqueror (M. J. H. Johnson) 10-2 5-1 5-1 32-2

Direct Route (J. H. Johnson) 10-2 5-1 5-1 32-2

Starry Star (M. J. Jefferson) 10-2 5-1 5-1 32-2

One Man (D. M. Hobson) 10-2 5-1 5-1 32-2

Minster's Madam (J. H. Johnson) 10-2 5-1 5-1 32-2

Gold Cup (D. M. Hobson) 10-2 5-1 5-1 32-2

Flights of fancy: The favourite, Minster's Madam, in the air in yesterday's seller at Plumpton

# sport

## It seems to me that allowing tactical substitutions in internationals is potentially the most important of all the recent changes

Rob Andrew recently wrote in another newspaper that he did not see the point of having Jonathan Davies on the substitutes' bench. A player of Davies's stature and experience, Andrew went on, should be either in the team or out of it. I hesitate to disagree with someone who is very nearly Davies's equal as an outside-half, but I do.

It may be that Andrew is too close to the problem. He puts himself in the position of Davies and imagines that Jack Rowell has asked him to shadow Paul Grayson (restored to the England side against Scotland), on the bench. Presumably he would not like it one little bit. I cannot say I would blame him.

Davies, by contrast, seems perfectly happy to act as Arwel

Thomas's rugby uncle. In the game, he has done everything, as, indeed, has Andrew. In fact, Andrew has done more: he has played for the Lions. This is Davies's one remaining ambition. If the Lions' manager, Fran Cotton, has any sense, he will take him to South Africa in the summer, whether as an outside-half, as a full-back or as a utility three-quarter.

I do not, however, want to discuss the composition of the Lions party at this stage but, rather, the question of substitutes. It seems to me that allowing tactical substitutions in internationals is potentially the most important of all the recent changes. It makes the coach or manager even more influential than he is already.

To a certain extent, admittedly, tactical substitutions have always been made, ever since substitutes were allowed. A player who was not performing well might suddenly go down with a mysterious injury to his ankle. I have even seen an out-of-sorts kicker being replaced by someone else who, by happy chance, is also able to take pot shots at the posts.

Such subtleties will no longer prove necessary. At any rate, one hopes not. Against Scotland, Davies came on as an old-fashioned substitute for Scott Gibbs, who had injured his ribs. Considering the damage Gibbs had inflicted on the ribs of assorted Scotsmen, this was justice of a kind. But Kevin Bowring, the Welsh coach, also substi-

tuted Craig Quinnell for Mark Rowley and Gwyn Jones for Colin Charvis.

I should have expected the last change at least to be reflected in the team to play Ireland. Last season, after all, Jones was – with Ian

Smith, now restored to the Scottish side – regarded as one of the best open-side flankers and a virtual certainty for the Lions. And Charvis, though he has had several impressive outings for Wales, did miss a gift of a try against Scotland, when he knocked on (or, rather, simply spilled the ball) with no one to impede his passage to the line.

Whether players who, like Charvis, have borne the heat and burden of the day should be penalised for one mistake is an arguable question. I tend to take the unsympathetic view that only the front five forwards should be exempt from the obligation of being able to catch the ball in reasonable circumstances such as those in which Charvis found himself. Even this

concession may be out of date in these more stringent times.

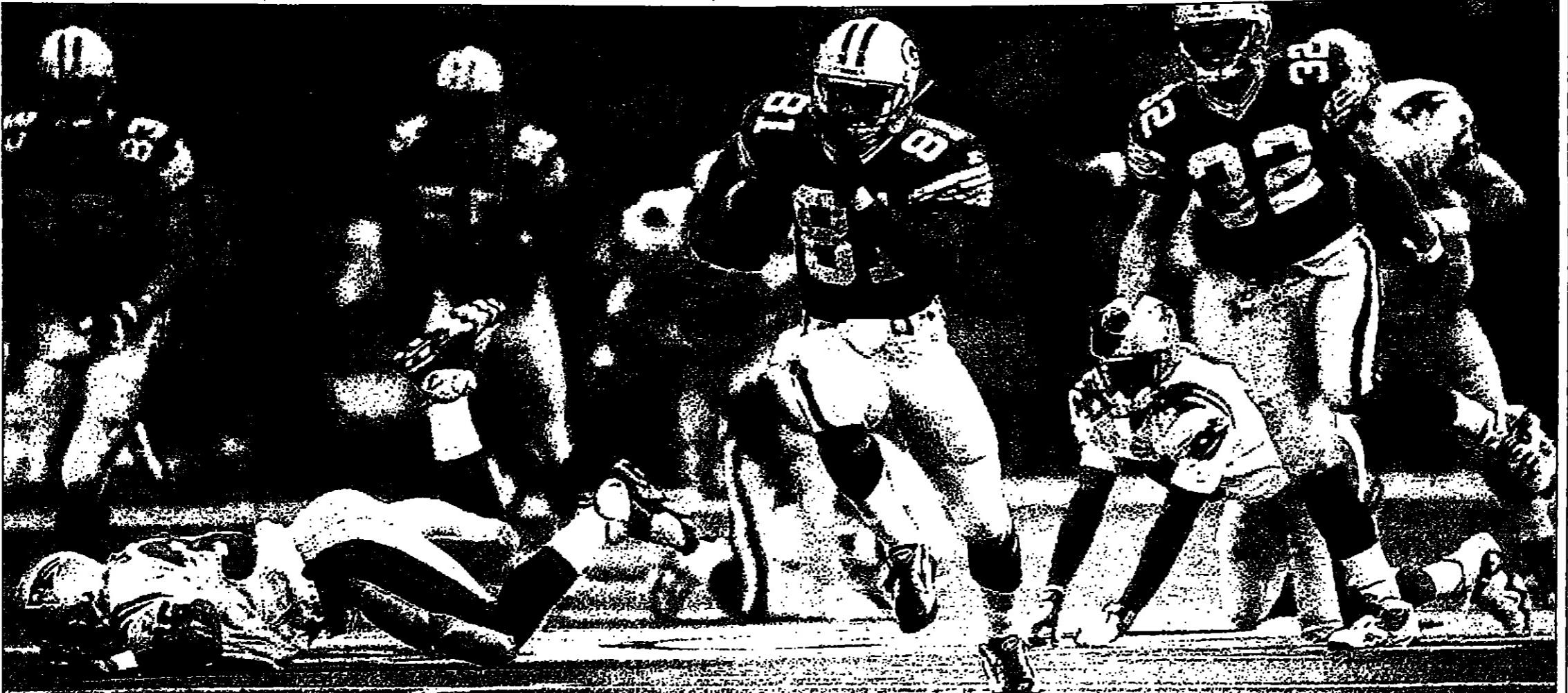
Manifestly, Bowring does not take this stern view. He has retained Charvis against Ireland and picked an unchanged team, with Davies, Jones and Craig Quinnell back on the bench. After his marvellous display at Murrayfield, Thomas's retention was inevitable and right. But Wales are very fortunate to be able to put Davies on the field in his place if things go wrong, as they did in Dublin last season. They are even more fortunate that Davies is prepared to accept this situation, with fortitude, equanimity and even a degree of cheerfulness.

Substitutions can also be used deliberately to introduce new players to international rugby. Five I would keep up with Rowell's mental processes.

nominate are Huw Harris and Nathan Thomas (already capped as a substitute) for Wales, and Will Greenwood, Austin Healey and Alex King for England.

England's equivalent of Jonathan Davies is Jeremy Guscott. Whether he is taking it so equally I rather doubt. He certainly has reason to feel piqued. He is the finest centre England have produced since Jeff Butterfield or, if you count him as a centre rather than a wing, since David Duckham. Yet Rowell is not only failing to pick him in his best position, outside centre; he is also picking two inside centres in Phil de Glanville and Will Carling. I am afraid I cannot always keep up with Rowell's mental processes.

**SUPER BOWL XXXI:** Packers' special team deliver the decisive punch. Matt Tench reports from New Orleans



Pivotal play: Green Bay's Desmond Howard leaves the New England Patriots special team in his wake for a 99 yard kick-off return and a Super Bowl record

Photograph: AFP/Rhona Wise

## Howard's way destroys Parcells' dream

**Half an hour before hostilities opened in Super Bowl XXXI,** the theme music from *Mission Impossible* echoed around the Louisiana Superdome. The New England Patriots were not on the pitch at the time, which was probably just as well. Had they heard it, they might have realised the task ahead of them.

In the ensuing three hours the Patriots put up a resolute performance against a Green Bay Packers team who fully lived up to their reputation for outstanding offence and defense. In the end, though, Bill Parcells's side were undone in an area of the game at which they usually excel. The Packers, the Patriots' head coach, takes pride in the special teams unit he coaches, but he, like they, could only watch in awe as Green Bay's Desmond Howard plotted a dizzying path through a

mass of Patriot tacklers for a 99-yard kick-off return.

The run from one end zone to the other set a Super Bowl record. More significantly, it was a devastating response to a Patriots scoring drive that threatened to make the game close late in the third quarter. In a contest pleasingly punctuated by changes of momentum, Howard's way proved the final shift, and the Pack held on to their 35-21 advantage, to claim their first Super Bowl since the days of Vince Lombardi.

"I thought we might have had them rocking at 27-21," Parcells said. "We had momentum on that drive and our defense was playing a lot better. The game started before it started, but a touchdown return in an exhibition game secured his place on the roster, and he has produced a vintage season."

Howard's was the decisive moment of a Super Bowl that produced more big plays than a Shakespeare festival, and almost lived up to the hype. The game was set on Green Bay's opening drive, when their quarterback Brett Favre challenged the Patriot blitz. Favre's tendency to be wayward early on attracted much comment in

people miss. It's the first time this year we have been outplayed on special teams."

For Howard it was an extraordinary denouement to a campaign that began with his career in jeopardy. Five years after winning the Heisman Trophy as college football's best player, he arrived in Wisconsin in the summer having been cut by his previous two teams. A hip injury almost ended his Packer career before it started, but a touchdown return in an exhibition game secured his place on the roster, and he has produced a vintage season.

Howard was a worthy recipient of the game's Most Valuable Player award, totalling 244 yards on punt and kick-off returns. "I give Desmond Howard full credit," Parcells said. "He has great speed and made some

people miss. It's the first time this year we have been outplayed on special teams."

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the build-up, but his first throw in the biggest game of his life produced an inch-perfect trajectory over the advancing trajectaries for a 54-yard scoring reception to Andre Rison.

When, with less than seven minutes played, the Pack capitalised on Drew Bledsoe's interception on the Patriots' second possession by adding a field goal, it seemed another AFC team were destined for national humiliation. However, the Pats responded with characteristic Parcells savvy and thanks to repeated use of play action, promptly put together two scoring drives, so that at the end of a compelling first quarter they were – remarkably – at 27-14.

The Pack then made some adjustments, and as their pass rush began to disrupt Bledsoe's rhythm so Favre demonstrated once again why his daring is such a crucial element in their arsenal. Another perfect

arc released Antonio Freeman for an 81-yard scoring pass, though this touchdown, like the Packers' first, owed something to a third-rate effort from the Patriots' secondary.

The deep threat now established, the Pack were able to develop their running game and, with Dorsey Levens particularly effective, they racked up 17 unanswered points in the second quarter. When Favre's two-yard scoring run put his side 27-14 ahead shortly before the interval, it seemed that an AFC team's resistance had once again been broken before half-time, but such a conclusion only emphasised the perils of writing off a Parcells team.

Initially thwarted, a game of intriguing tactical responses then saw the Patriots, after 14 successive pass attempts, return to the run. This brought a drive which saw the Pats riding their luck – Ben Coates caught one pass then saw it rebound off

Leroy Butler's helmet, then caught it again – and culminated with Curtis Martin's 18-yard touchdown run.

With three minutes of the third quarter remaining and six points between the teams a memorable climax beckoned,

but the very next play saw Howard's kick-off return restore Green Bay's comfortable advantage and Reggie White did the rest. The Packer linemen produced three sacks and as New England became increasingly desperate so Bledsoe threw two more interceptions to take his tally to four. That was four more than Favre, and if Bledsoe showed great potential, Favre demonstrated what happens when potential is fulfilled.

Bledsoe's development will almost certainly take place under a head coach other than Parcells, who appears destined for the New York Jets. His dispute with Robert Kraft, the Patriots owner, became public yesterday

with the NFL Commissioner, Paul Tagliabue, asked to adjudicate on whether the terms of Parcells' contract allow him to coach another team in 1997.

Such a high-profile rift leaves no scope for Parcells to stay in Massachusetts. But he will leave a team infinitely stronger than the shambles he inherited four years ago, though one still short of a defensive playmaker or two.

The Pack have no such problems. "It's time the Lombardi Trophy went back to Lambeau Field," their general manager, Ron Wolf, said as the presentation was made. For the Cheesheads, who tested New Orleans' partying capacity to the full, there was much to celebrate. When their team last won a Super Bowl in 1968 an era was coming to a close. With virtually all their key personnel signed for at least another year, and their head coach, Mike Holmgren, at the peak of his powers, a new one may just be beginning.

The Council said it would need to be confident that effective management systems [in the BAF] are in place before making any decision on the allocation of funding for the 1997/98 financial year.

It has offered to play a role as "broker" in restructuring the BAF, from which the executive chairman, Peter Radford, resigned recently, citing the lack of freedom afforded him by factions in the sport.

Roger Eady will represent the Council in meetings to be held this week with key BAF individuals. Eady stressed, however, that the "current difficulties" would not harm the prospects of individual athletes whose direct funding would be protected.

In the meantime, a petition protesting against the imminent closure of athletics facilities at Crystal Palace has attracted well over 2,000 signatures and will be presented to the Sports Council – which is currently deliberating over the usage of the south London site – next week.

Carl Lewis finished equal seventh in the 100 metres at the Sydney Grand Prix yesterday, his second disappointing performance in 72 hours.

**Cardiff able to consolidate title position**

**ice hockey**

Cardiff are now firm favourites to win the inaugural Super League title after maintaining their edge over their title rivals Sheffield Steelers, on Sunday night.

In a see-saw contest, Cardiff led 1-0, trailed 2-1 but rallied to win with two goals in the final period from Jason Stone and Steve Thornton.

It gave Devils their fourth win in the six meetings between the sides this season and, more importantly, opened a four-point gap over Steelers at the top of the table with the season now in the home straight.

The results capped a miserable weekend for Steelers. Last season's Grand Slam winners were beaten 5-2 at home by Ayr Scottish Eagles on Saturday night, while Cardiff were picking up a useful point at Basingstoke.

Ayr boosted their hopes of claiming third place with a 5-3 win over fellow hopefuls Nottingham Panthers on Sunday, while Newcastle Cobras, who are third at the moment, slumped to a 6-3 defeat at Bracknell Bees after losing their influential player-coach, Rick Brabant, who was injured.

## Newcastle face character test

### Rugby Union

CHRIS HEWITT

To misquote the Beatles, money can't buy you luck. Sir John Hall, the one-man financial machine driving Newcastle's ambitious attempt to hijack the nation's sporting consciousness, has suffered a rough 24 hours on the knock-out front.

After watching his expensively assembled football team get the bum's rush from the FA Cup on Sunday, he then had to endure further pain as the draw for the Pilkington Cup quarter-finals was made yesterday.

Andrew will need big performances from the substantial number of full internationals at his disposal; 10 played in the side

that saw off London Scottish on Saturday and they will have an 11th after this weekend because the New Zealand-born Ross

### PILKINGTON CUP Quarter-final draw

Newcastle v Bath or Leicester  
Wakefield or Gloucester  
Northampton v Sale  
Harlequins v Saracens

Ties to be played Saturday 22 Feb

Nesdale will make his debut for Ireland in Cardiff. Nesdale gets his chance because Allen Clarke, the Northampton hooker, broke a hand in the club's cup victory over Coventry.

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### SMALEC CUP Seventh-round draw

Cardiff v Diane Powers; Pontypool v Whitchurch; Llanelli v Ebbw Vale; Swansea v Pontypridd; Carmarthen Quay v Neath; Treorchy v Bridgend; Aberdare v Llanelli.

Happily.

At least no one could accuse Pienaar of feathering the nest of his own team-mates. Saracens will meet the cup specialists Harlequins – the second consecutive London derby for Tony Diprose's side, who just made it past Wasps on Sunday.

English rugby's political landscape is even more shrouded in fog, however. The power struggle between the Rugby Football Union and the senior clubs, represented by Epruc, is taking on a running jump.

"We will not be attending and the message from the Epruc clubs is that there will be nobody there," said Mike Smith, the Saracens chief executive. "I have faxed Cliff an offensive reply."

Cliff Brittle, the RFU executive chairman, yesterday called an emergency meeting with the

clubs to discuss their latest amendments to the peace formula hammered out before Christmas. The clubs, convinced that their most intractable opponent is preparing to renege on the current deal, told Cliff to bring a running jump.

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## Norton are taking nothing for granted

### Hockey

BILL COLWELL

Norton march on relentlessly with maximum points at the top of the North Premier following their 4-1 away win over Rainhill.

Although they are 12 points ahead of Formby, their captain, Richard Finney, is taking nothing for granted and no coach has yet been booked for Milton Keynes and the April National League play-offs.

Finney opened the scoring against Rainhill, Guy Bolsover made his usual contribution with a penalty corner and, as the opposition tired, Gary Ferguson completed the tally.

In the Nastro Azzurro South Premier Anchorage had a convincing 5-2 win away to Gore Court and are now four points clear of Huddersfield and Westminster who surprisingly dropped points to lowly Woking in a 3-3 draw.

Always struggling after conceding an early goal in the opening minute to a Greg Machin penalty corner, Huddersfield fought back with goals from Mark Crowley – his 23rd of the season, Will Saxby and Rob Turner before a late equaliser from Mick Colclough.

## TODAY'S NUMBER

5,774

The number of ATP ranking points amassed by world tennis No 1 Pete Sampras following his victory in the Australian Open singles final. This breaks the record of 5,652 set by Andre Agassi in 1995.

your way," said West, who believes that the winter balance of power will prove irrelevant.

"It's not ideal," admitted the Dudley Hill secretary, Mark Tordoff, after the draw at Headingley. "But I'd still like to think that we'll be back here for the fifth-round draw."

Paris St-Germain, included in the Cup draw for the first time, will be at Batley, while the relocated and renamed Lancashire Lynx will host the London Bron-

cos. The club, formerly known as Chorley, are moving into Preston North End's ground at Deepdale.

The only other all-Super League tie is between Castleford and Salford. Elsewhere there are number of ties between First and Second Division clubs after which the losers might reflect that entry into the new Plate competition – and which also ends at Wembley on the big day in May – is not a bad consolation prize.

Draw Digest, page 25

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## Hughes just happy to play his part

### Football

and that's got to come ahead of my personal ambition.

You want to see the club go places and I think we're really at the beginning of something special. I want to be part of it. Everybody wants to play, but if I can't play week in, week out I'm quite prepared to sit by my time.

It was a great performance in the second half, but I don't think we want to be two down at half-time every match," Hughes said. "When we can put two halves together like that we'll be dangerous."

Chelsea's inspired performance in the second half was proof that the trio can all play in the same side, with Zola's magnificent strike pulling them level before Vialli's double completed the comeback.

Zola agreed Hull had passed a key test of his resolve. "Vialli is a great player, but it wasn't an easy game for him to have to come back into," he said.

"He had a lot of pressure on him and that made it very difficult for him to play well. But if you have the sort of big personality he has, you can rise to the occasion. In the first half the way Luca and I played was a bit limited, but when Mark came on the three of us played with intelligence and that's what surprised us they couldn't deal with."

"We're a strange team. We can make some banal mistakes and both the goals on Sunday were due to those sort of errors. In the second half, the whole team played very well and everybody playing like that made it possible for us to come back. But it would be hard to have to repeat that every match."

### Grobelaar is bee's knees

Bruce Grobelaar survived a swarm of bees, a furious onslaught from one of Africa's leading strikers and a frantic airport dash to keep a clean sheet for Zimbabwe in their draw against Ghana in their African Nations' Cup qualifying match in Harare on Sunday.

The game had to be halted just before half-time when a swarm of bees flew over the ground, forcing the players to crawl off the pitch with the shirts over their faces to avoid being stung.

Grobelaar, standing trial in Britain on charges of match-fixing, was granted permission by the judge at the crown court in Winchester to go to Harare for the vital game. The 39-year-old goalkeeper arrived on Saturday and flew back immediately after the match, dashing from the National St-

dium on the outskirts of the city to the airport to catch his plane.

He made some vital late saves from the Ghanaian captain, Abedi Pele, to salvage a draw after his Zimbabwean team-mates had missed some good early chances.

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"We were worried Bruce wouldn't be mentally and physically fit after his tribulations in England, but he proved he's big enough for it," commentator Kelvin Sifelani, of the state Zimbabwe Broadcasting Corporation, said.

The draw put Ghana firmly in the lead in Group One.

**NEW FACES FOR '97:** One young rider has become the only Englishman in any of motorcycling's three grand prix classes to gain a factory-supplied bike next season. He talked to Andrew Martin

## Robinson's fighting chance

**W**ith a single punch, Jamie Robinson earned himself more attention than a season of racing progress on motorcycling's 250cc grand prix circuit.

Knocked from his saddle at a crucial stage in last year's British Grand Prix, the licensed 21-year-old Yorkshireman flew at the rider whose error had ended his hopes of a top-10 finish in front of an expectant Donington crowd. Robinson, a slight, buoyish figure, lunged at the bigger, helmeted, and chinmed him.

"However, if I had won the event, I would not have had so much exposure," Robinson says wryly. "Straight away I got a really good feeling with the team," Robinson beams. "My life is taking such a different direction. I'm really enjoying myself now. I've got a really good feeling about my racing. I think I'll have a good year. Since I signed my deal, everything is more interesting and fun."

"I wasn't happy with the result I was getting; the bike was never consistent. I just couldn't do my job and I was really angry with the situation and getting frustrated."

That frustration was vented in the Donington fistfights. "I ride on a lot of emotion – I put my heart into my job," Robinson says. "It's not something I'm playing at – it's my life."

"It was the British Grand Prix; I had so much at stake. From nine-thirteenth places to a host of noughts. Like so many young Britons on motorcycling's blue ribbon series, a bright prospect appeared to have missed his opportunity."

**I can't wait for the start of the season – I just want to tear the handlebars off the bike'**

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## The voice of motor sport talks ITV into a pay rise

### Motor racing

crease. After all, I do it basically for the love of it."

Walker will be joined in the commentary box by Martin Brundle, who finds himself back in the world of Formula One just weeks after losing his drive with Jordan.

ITV plan four shows for each of the season's grands prix, starting with a 90-minute qual-

ifying programme. There will be a 15-minute news show and race coverage will begin half an hour before the start. A highlights package will wrap up coverage later in the evening.

One thing guaranteed to irritate viewers, however, are five planned two-minute commercial breaks which will bite into each race, but Neil Duncan,

executive producer of ITV's race coverage, said: "It was not the BBC which didn't have commercial breaks."

"Most other companies have more or longer breaks than we plan. But if we do miss anything the audience won't, because everything will be recorded."

The 73-year-old Walker, who gave his first radio commentary

at Silverstone in 1946, revealed how close his career came to ending following last season's final race in Japan.

"I seriously thought of jacking it in," said Walker, who has signed a two-year contract with ITV. "Daron Hill was world champion, a good mate of mine, and it seemed a good idea to stop. But Formula One and

motor racing are my passion and my life and I don't want to finish. It's a pleasure to talk to it."

"ITV have given me an opportunity to carry on working with such good talent and with lots of money going into the sport. When I thought of that I didn't have to think much longer. I am absolutely delighted."

### SPORTING DIGEST

#### Hendry seeks inspiration

##### Snooker

Stephen Hendry, on a mission to improve his relatively poor record at the Regal Welsh Open quietly moved into the last 16 of the event at Newport yesterday.

However, Hendry, who produced a low-key display to beat Ian McCulloch in the first round, never approached his devastating best during a 5-2 win

over Mick Price of Newcastle.

"I am playing really well and cueing fine but motivation is difficult for me to find in these early rounds," the six-times world champion said.

Hendry, who has not won the title in Newport since 1992, now faces Thailand's James Wattana.

Wattana secured a place in the last 16 by beating the 1985 world champion Dennis Taylor, 3-5.

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### SPORTING DIGEST

#### Basketball

Worthing Bees are likely to be without their American forward Anthony Thomas for the remainder of the season after he suffered a shin injury in last weekend's home 101-97 British Basketball League win over Leopards. He will not come out of plaster until the middle of March.

Since then only Carl Fogarty, twice a world champion in the rival World Super Bike series, has set pulses racing here. Hence the expectation riding on Robinson's precocious talent in what this season will be

the toughest of the grand prix classes.

With the three-times world champion Max Biaggi staying at 250cc and the former 250cc title holder Loris Capirossi stepping down from two years at 500cc, the competition will be testing indeed. They are joined by the top five riders from the 125cc class on a grid cut from 36 to 24 qualifiers.

Robinson adds: "There's a clutch of good bikes out there – it's going to be exciting. It's also going to be hell. I don't really know what to expect."

He will know better after

testing the RGV250 in Australia and Malaysia, a world away from last year when he travelled from circuit to circuit in a camper van with little or no time to prepare the bike.

He knocked me off and that was it – it was just all my emotion coming out all in one punch. I restrained myself before it all went too far, but we got away with that one."

The Suzuki marque carries a heady significance with the die-hard fans. Barry Sheene rode one to two world 500cc championships in 1976 and 1977.

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With the three-times world champion Max Biaggi staying at 250cc and the former 250cc title holder Loris Capirossi stepping down from two years at 500cc, the competition will be testing indeed. They are joined by the top five riders from the 125cc class on a grid cut from 36 to 24 qualifiers.

Robinson adds: "There's a

clutch of good bikes out there – it's going to be exciting. It's also going to be hell. I don't really know what to expect."

He will know better after

testing the RGV250 in Australia and Malaysia, a world away from last year when he travelled from circuit to circuit in a camper van with little or no time to prepare the bike.

He knocked me off and that was it – it was just all my emotion coming out all in one punch. I restrained myself before it all went too far, but we got away with that one."

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**Robinson's fighting chance**  
Lone Englishman seeks grand prix glory  
on 250cc works motorcycle, page 23

# sport

**Packing a punch**  
Green Bay savour Super  
Bowl success, page 22

## Lara's best too late to save West Indies

### Cricket

**TONY COZIER**  
reports from Adelaide  
West Indies 130 and 154-6  
Australia 517

Brian Lara at last brought the splendour of his strokeplay to a series that had been diminished without it, but it seemed insufficient to save West Indies from one of their most crushing defeats in the fourth Test.

Lara remained unbeaten on 65 at the end of the third day here yesterday but, with only

wicketkeeper Junior Murray and three fast bowlers remaining as partners, the West Indies still required an unlikely 233 to make Australia bat again with two days remaining.

Lara's previous seven innings have brought him a miserly 86 runs and the last five had all ended in single figures. When he strode on to sunlit Adelaide Oval quarter of an hour before tea the West Indies were already in a hopeless state, with a first-innings deficit of 387 and two second-innings wickets already down for 22. That soon became three for 42.

For the remaining two and a

quarter hours, the dapper left-hander first settled himself before initiating a breathtaking assault on Shane Warne and Michael Bevan, Australia's contrasting wrist spinners who had bemused the West Indians on the first day when they were routed for 130 and were doing so again.

He pulled both the left-arm Bevan and Warne for six and shared his 11 fours between them. For an hour and 40 minutes he and the graceful Carl Hooper lifted the gloom of a one-sided match in which the West Indies have been utterly outplayed by opponents determined to cap-

lodging a bail. In the next over McGrath had the new left-handed opener, Adrian Griffith, taken in the gully and then Bevan accounted for Shivnarine Chanderpaul and Campbell to splendid slip catches by Mark Taylor.

A crowd of 18,000 had been disappointed at the start of the day by the dismissal of home town favourite Greg Blewett for 99. Kept scoreless throughout a testing over, from Cameron Cuffe, he sought to push into the off side for the decisive single off the last ball and was bowled off stump. Bevan laboured in comparison over an unbroken 85.

## Thorpe the centurion at heart of fray

**DEREK PRINGLE**  
reports from Eden Park,  
Auckland  
New Zealand 390 & 65-3  
England 521

Graham Thorpe is a quiet, undemonstrative man, but there was no denying the outpouring of emotion at Eden Park on Monday, as he scored his third Test century. Removing his helmet, he repeatedly aimed fresh air punches towards his teammates, who applauded him to a man.

Strangely, for a Test played on a new pitch, it was the fourth successive day that bat dominated ball and Thorpe, Surrey and England's second centurion of the match, was instrumental in taking England above the 500 mark and on to a first-innings lead of 131. Thorpe is the ultimate team man and he probably felt he owed his colleagues a score, not least for the farcical nature of the run-out between himself and John Crawley on the previous afternoon.

"It was a good feeling, especially to contribute to the team," Thorpe admitted after the day's play. "Creepy [Crawley] has been very good about the run-out. He just told me to go and score his runs for him."

He was as good as his word and his 119, while more studied than his usual knocks, contained 17 fours and took just over five and a half hours to complete. "I feel I had to be patient and occupy the crease," he said.

Thorpe scores his Test hundreds about once every 15 Tests, or every two years, an event whose frequency is akin to the gestation period of the African elephant, and one that - had there been a decent crowd present - might have been greeted with almost the same amount of trumpet.

He has his detractors, too, and if it is centuries that measure the true worth of a Test batsman, then there is little doubt that

Thorpe is an underperformer. The only problem is that such yardsticks rarely tell the whole story and Thorpe's value, along with such players as Australia's Mark Waugh, would perhaps be better gauged by how often they seize the initiative for their team. Which in Thorpe's case, is probably more often than any of his England team-mates, including the illustrious Alec Stewart.

Look closer and there is little doubt that since the extravagant promise of a debut hundred against Australia, Thorpe has been instrumental in setting up winning positions for England. The team may not have always gone on to win, but Thorpe's urgent sixes and sevens have, as often as not, at least given the bowlers enough time to plot victory, rather than merely hope for it.

Afterwards David Lloyd, the England coach, praised the Derbyshire player's inanities, adding that he felt it was time Cork "moved on from being a strike bowler and sometime all-rounder to a genuine all-rounder".

It took a brilliant diving catch by Bryan Young to dismiss Cork after he had swatted Danny Morrison's long-hop high over the fielder's head at midwicket.

At that point, the England tail took the opportunity to outperform its usual rabbit rating as Phil Tufnell and Alan Mullally added 43 for the last wicket, a feat that suggested the pitch at least had surpassed all expectations of its durability.

However, it is remarkable how a few widening cracks can help persuade a bowler to try his luck, which is broadly what it took to dismiss Young after Nasser Hussain, hovering at fine gully, had parried the initial catch offered by the batsman's strong drive.

With Mullally rested after another wayward opening spell, it was Darren Gough's turn to run uphill into the wind, an encumbrance that appeared to help his inswinging yorker, which for the second time in the match caused the tall Blair Cowcock to leg before.

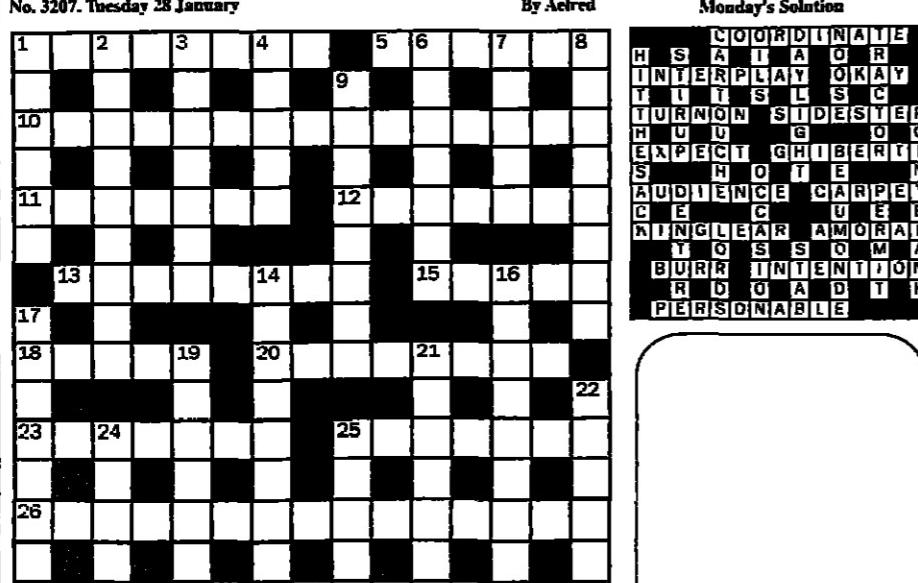
But if getting both openers was a bonus, the dismissal of Stephen Fleming, New Zealand's century-maker in the first innings, was a huge blow to the home side. It also gave Tufnell his first wicket of the match, an occasion someone with a knapsack celebrated by invading the pitch and mooning at the "Barney Army".

### THE INDEPENDENT CROSSWORD

No. 3287. Tuesday 28 January

By Adrew

Monday's Solution



- ACROSS**
- Construction that's getting a fellow to come to an end (8)
  - Those dealing with aliens will take time to stir up trouble? (6)
  - One could expect no first part to exam? (7,8)
  - Bill which electricity meter gives? (7)
  - There's little in weapon to make things more palatable (7)
  - Learned people will provide a note on US volume (8)
  - Agree changes, being keen (5)
  - Earthly material to give unpleasant odour to you and me (5)
  - Duels fought about revolutionary programme (8)
  - Count is disposed making this power vacuum? (7)

- DOWN**
- Ruler didn't finish dried fruit (6)
  - A structure is leading to motorway lawlessness (9)
  - Given this lack of success Football Association changed rule 1 (7)
  - Fair fellow abandoning aeroplane journey (5)
  - Outside broadcast picture's unfit to be shown (7)
  - Order used in Portuguese dictionary (5)
  - An attempt to follow a number of commands required by letter (8)
  - Awfully thin, smug, supplier of colts? (8)
  - One's off a worker who's eccentric within (8)
  - Provide protective coat as Ivan's got to be out in a storm (9)
  - Science not initially studied by a learner for examination (8)
  - One's regularly paid a gratuity to get entry in dispatch (7)
  - Eat, about ten, cooked stuff suitable for one's tooth (7)
  - Money secures female help in leather production (6)
  - Copper will need rest having worked from 2 to 8? (5)
  - About to produce new formulation of belief (5)

### Eden Park scoreboard

England won toss

**NEW ZEALAND** - First Innings 300 (B A Pocock 70, S P Fleming 129, C L Cairns 67; D Gough 4-91).  
**ENGLAND** - First Innings (Overnight: 365 for 8)  
1. 10 min, 10 overs, 10 balls, 10 runs, 10 wickets, 100% extras.  
2. 10 min, 10 overs, 10 balls, 10 runs, 10 wickets, 100% extras.  
3. 10 min, 10 overs, 10 balls, 10 runs, 10 wickets, 100% extras.  
4. 10 min, 10 overs, 10 balls, 10 runs, 10 wickets, 100% extras.  
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6. 10 min, 10 overs, 10 balls, 10 runs, 10 wickets, 100% extras.  
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11. 10 min, 10 overs, 10 balls, 10 runs, 10 wickets, 100% extras.  
12. 10 min, 10 overs, 10 balls, 10 runs, 10 wickets, 100% extras.  
13. 10 min, 10 overs, 10 balls, 10 runs, 10 wickets, 100% extras.  
14. 10 min, 10 overs, 10 balls, 10 runs, 10 wickets, 100% extras.  
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17. 10 min, 10 overs, 10 balls, 10 runs, 10 wickets, 100% extras.  
18. 10 min, 10 overs, 10 balls, 10 runs, 10 wickets, 100% extras.  
19. 10 min, 10 overs, 10 balls, 10 runs, 10 wickets, 100% extras.  
20. 10 min, 10 overs, 10 balls, 10 runs, 10 wickets, 100% extras.  
21. 10 min, 10 overs, 10 balls, 10 runs, 10 wickets, 100% extras.  
22. 10 min, 10 overs, 10 balls, 10 runs, 10 wickets, 100% extras.  
23. 10 min, 10 overs, 10 balls, 10 runs, 10 wickets, 100% extras.  
24. 10 min, 10 overs, 10 balls, 10 runs, 10 wickets, 100% extras.  
25. 10 min, 10 overs, 10 balls, 10 runs, 10 wickets, 100% extras.  
26. 10 min, 10 overs, 10 balls, 10 runs, 10 wickets, 100% extras.  
27. 10 min, 10 overs, 10 balls, 10 runs, 10 wickets, 100% extras.  
28. 10 min, 10 overs, 10 balls, 10 runs, 10 wickets, 100% extras.

**NEW ZEALAND - Second Innings**  
1. A Pocock, bowled by Gough ..... 20  
2. S P Fleming, bowled by Gough ..... 20  
3. B A Pocock, bowled by Gough ..... 20  
4. B A Pocock, bowled by Gough ..... 20  
5. B A Pocock, bowled by Gough ..... 20  
6. B A Pocock, bowled by Gough ..... 20  
7. B A Pocock, bowled by Gough ..... 20  
8. B A Pocock, bowled by Gough ..... 20  
9. B A Pocock, bowled by Gough ..... 20  
10. B A Pocock, bowled by Gough ..... 20  
11. B A Pocock, bowled by Gough ..... 20  
12. B A Pocock, bowled by Gough ..... 20  
13. B A Pocock, bowled by Gough ..... 20  
14. B A Pocock, bowled by Gough ..... 20  
15. B A Pocock, bowled by Gough ..... 20  
16. B A Pocock, bowled by Gough ..... 20  
17. B A Pocock, bowled by Gough ..... 20  
18. B A Pocock, bowled by Gough ..... 20  
19. B A Pocock, bowled by Gough ..... 20  
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21. B A Pocock, bowled by Gough ..... 20  
22. B A Pocock, bowled by Gough ..... 20  
23. B A Pocock, bowled by Gough ..... 20  
24. B A Pocock, bowled by Gough ..... 20  
25. B A Pocock, bowled by Gough ..... 20  
26. B A Pocock, bowled by Gough ..... 20  
27. B A Pocock, bowled by Gough ..... 20  
28. B A Pocock, bowled by Gough ..... 20

## Graf inquiries continue

### Tennis

The prosecutor of Steffi Graf's father, Peter, said yesterday that the investigation of Graf herself, shelved during her father's trial, would now proceed more quickly. He also confirmed reports that he is also examining evidence to see if criminal investigations should be opened against some of the player's sponsors.

Graf appeared at a news conference before the Pan Pacific Women's Open in Tokyo today, but declined to answer reporters' questions about her father's conviction for tax evasion.

Graf looked weary after a flight from Australia but insisted she was in good shape. "My condition is pretty good," she said. "I'm fit and ready to play."

The German prosecutor, Hubert Jokski, also said that the

state is appealing against the length of Peter Graf's sentence.

Chief Judge Joachim Plass, who presided over the trial, had recommended the investigation of Steffi Graf be dropped, saying there was no evidence she had played "an active part" in the tax evasion.

But Jokski said the probe of Steffi Graf had only ceased temporarily, but would now be handled as quickly as possible. Jokski did not specify the sponsors he was looking at, but German news reports named Adidas, Dunlop and Suedmilk, a German milk products company.

The reports said the companies were suspected of showing willingness to route payments for Steffi Graf to her father's mailbox account in the Netherlands to hide them from German tax authorities.

which takes several weeks just to get the documents to the higher court.

Jokski said yesterday that the working day ends the appeal of the three-year, nine-month sentence Peter Graf received on Friday will now proceed more quickly. He also confirmed reports that he is also examining evidence to see if criminal investigations should be opened against some of the player's sponsors.

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Orient-Express to Southampton on 8 June • eleven night Oriana Land of the Midnight Sun cruise to Bergen via the Norwegian Fjords and Spitsbergen

• Concorde supersonic to Heathrow £2,999

Concorde supersonic from Heathrow to Bergen on 19 June • two night Oriana cruise to Southampton

• Orient-Express to Victoria £1,299

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